high cost of living; to the Committee on the Post Office and Post Roads.

By Mr. McCLINTIC: Petition of Railway Mail Clerks' Association, favoring increase in salary; to the Committee on the Post Office and Post Roads.

By Mr. McKENZIE: Two petitions of postal employees of Dixon and Freeport, Ill., for increase of salary; to the Committee on the Post Office and Post Roads.

By Mr. MOTT: Petition of postal employees of Watertown, Lowville, Fulton, Adams, and Carthage, N. Y., for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. NORTH: Petitions of Local Union, United Mine Workers of America, located at Brockwayville; Local Union No. 480, United Mine Workers of America, located at Chambersville; and Local Union No. 1798, United Mine Workers of America, located at Ramsaytown, all in the State of Pennsylvania, representing 490 members, praying for the appointment of a commission to proceed to devise ways and means to restore the food prices back to something near normal; to the Committee on Rules.

By Mr. PAIGE of Massachusetts: Petition of John E. Neyalley and 14 employees of the Chilton (Mass.) post office, for increased pay; to the Committee on the Post Office and Post Roads.

By Mr. PRATT: Petition of Women's Christian Temperance Union of Prattsburg, N. Y., Mrs. C. M. Van Valkenburgh, president; Nettie Marrila Smith, secretary; and Frank H. Bisbee, pastor Presbyterian Church; George A. Orton, pastor Baptist Church; and E. W. Collings, pastor Methodist Episcopal Church, favoring national and District of Columbia prohibition; to the Committee on the District of Columbia.

Also, petition of Arthur B. McLeod, president, Le Valley, McLeod, Kinkaid Co., of Elmira, N. Y., favoring a 1-cent, drop-letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of William J. Davis, president Davis-Brown Electric Co., Ithaca, N. Y., favoring a 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

By Mr. ROWE: Petition of the Theed Agency, of New York, in re exchange charges on country checks; to the Committee on Banking and Currency.

By Mr. ROGERS: Two petitions of employees of the Andover (Mass.) post office, and the Reading post office, for an increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Michigan: Petition of B. J. Blanchard and 19 citizens of Albion, Mich., favoring increase in pay to mail clerks, etc.; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Memorial of Business Men's Association of Pawtucket, R. I., favoring the improvement of the Pawtucket River; to the Committee on Rivers and Harbors.

By Mr. TAVENNER: Petition of Tri-City Federation of Labor, Rock Island, Ill., favoring embargo on wheat; to the Committee on Interstate and Foreign Commerce.

By Mr. TOWNER: Petition of Miss May Wood and 50 other citizens of Tabor, Iowa, praying for the enactment of a national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of the members of the United Presbyterian Church, the members of the First Baptist Church, and of the Woman's Christian Temperance Union, all of Allerton, Iowa, favoring national constitutional prohibition; to the Committee on the Judiciary.

By Mr. WEBB: Petition of railway clerks, postal clerks, letter carriers, and rural-delivery carriers, for increased pay; to the Committee on the Post Office and Post Roads.

By Mr. WINSLOW: Petition of 120 citizens of Medford, Mass., in behalf of an embargo on coal; to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY, *December 18, 1916.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we lift our hearts to Thee and pray for the passion of eternity. In the pressing duties of our daily life and the output of our energies to solve the problems of life we are lured from a contemplation of the things that make for our eternal life. We pray that the appetite of spirit, starved small by the stern necessities of this life, may not be satisfied with the pleasures and with the honors of this world only, but give to us a desire to measure up to God's supreme conception of manhood. May we follow after Him who embodied the fullness of all life and at last attain unto the perfect measure of human life. Bless us in the discharge of the duties of this day. For Christ's sake. Amen.

The Journal of the proceedings of Saturday last was read and approved.

SENATOR FROM MICHIGAN.

Mr. SMITH of Michigan. I present the credentials of my colleague, Hon. CHARLES E. TOWNSEND, duly elected to the office of United States Senator for the term ending March 3, 1923, which I ask may be received.

The VICE PRESIDENT. The credentials will be printed in the RECORD and placed on the files of the Senate.

The credentials are as follows:

STATE OF MICHIGAN.

Certificate of election.

We, the undersigned, State canvassers, from an examination of the election returns received by the secretary of state, determine that, at the general election held on the 7th day of November, 1916, CHARLES E. TOWNSEND was duly elected to the office of United States Senator for the term ending March 3, 1923.

In witness whereof, we have hereto subscribed our names at Lansing, this 12th day of December, 1916.

COLEMAN C. VAUGHAN,
Secretary of State.
JOHN W. HAARER,
State Treasurer.
FRED L. KEELER,
Superintendent of Public Instruction.

BOARD OF STATE CANVASSERS.

STATE OF MICHIGAN,
Department of State, ss:

I hereby certify that the foregoing copy of the certificate of determination of the board of State canvassers is a correct transcript of the original of such certificate of determination on file in this office.

In witness whereof I have hereto attached my signature and the great seal of the State at Lansing this 12th day of December, 1916.

[SEAL.] COLEMAN C. VAUGHAN,
Secretary of State.

SENATOR FROM TENNESSEE.

Mr. SHIELDS. I present the credentials of KENNETH D. McKELLAR, chosen by the qualified electors of the State of Tennessee a Senator from that State for the term of six years, beginning the 4th day of March, 1917, which I ask may be received.

The VICE PRESIDENT. The credentials will be printed in the RECORD and placed on the files of the Senate.

The credentials are as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1916, KENNETH D. McKELLAR was duly chosen by the qualified electors of the State of Tennessee a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1917.

Witness his excellency our governor, Tom C. Rye, and our seal hereto affixed at Nashville, Tenn., this 6th day of December, in the year of our Lord, 1916.

[SEAL.] TOM C. RYE, *Governor.*

By the governor:

R. R. SNEED, *Secretary of State.*

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 8092) confirming patents heretofore issued to certain Indians in the State of Washington, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. STEPHENS of Texas, Mr. CARTER of Oklahoma, and Mr. CAMPBELL managers at the conference on the part of the House.

The message also announced that the House had passed a joint resolution (No. 324) authorizing payment of the salaries of officers and employees of Congress for December, 1916, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. HARDING presented a petition of the City Council of Toledo, Ohio, praying for an investigation into the high cost of living, which was referred to the Committee on the Judiciary.

He also presented a petition of the National Association of Civil Service Employees, of Dayton, Ohio, praying for an increase in the salaries of all Government employees, which was referred to the Committee on Appropriations.

Mr. JOHNSON of South Dakota presented a memorial of the Retail Merchants' Association of Pierre, S. Dak., remonstrating against any further extension of the parcel post system and favoring the adoption of a 1-cent letter postage, which was referred to the Committee on Post Offices and Post Roads.

Mr. LODGE presented petitions of sundry citizens of Massachusetts, praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Ship Painters' Union of East Boston, Mass., praying for the placing of an embargo on food products, which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Boston and Leicester, in the State of Massachusetts, praying for national

prohibition, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented the memorial of E. R. Brown, of Dover, N. H., remonstrating against the deportation of Belgians by Germany, which was referred to the Committee on Foreign Relations.

Mr. WATSON presented a petition of District No. 11, United Mine Workers of America, of Terre Haute, Ind., praying for the placing of an embargo on food products, which was referred to the Committee on Foreign Relations.

He also presented a memorial of Columbia Grange, No. 2174, Patrons of Husbandry, of Elizabethtown, Ind., and a memorial of Lowell Arbor of Gleaners, of Lake County, Ind., remonstrating against the placing of an embargo on food products, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Bedford, Frankfort, Goshen, and Mishawaka, all in the State of Indiana, praying for an increase in salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Ministerial Association, of South Bend and Mishawaka, in the State of Indiana, praying for prohibition in the Hawaiian Islands, which was referred to the Committee on the Judiciary.

He also presented a memorial of District No. 11, United Mine Workers of America, of Terre Haute, Ind., remonstrating against the enactment of legislation to provide compulsory arbitration of industrial disputes, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Lincoln Council, No. 56, Junior Order of American Mechanics, of Terre Haute, Ind., praying for the passage of the so-called immigration bill, which was ordered to lie on the table.

He also presented a petition of Local Branch, National Association Bureau of Animal Industry Employees, of Indianapolis, Ind., praying for an increase in the salaries of employees of the Bureau of Animal Industry, which was referred to the Committee on Agriculture and Forestry.

Mr. COLT presented petitions of sundry citizens of Wickford, Cumberland, Lincoln, Georgiaville, and Providence, all in the State of Rhode Island, praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which were ordered to lie on the table.

He also presented resolutions adopted by the Medical Society of Newport, R. I., expressing appreciation of the passage of the so-called Hay and Chamberlain bills providing for an increase of members of the Medical Reserve Corps of the Army, which were referred to the Committee on Military Affairs.

Mr. GRONNA. I present resolutions adopted by General Crook Post, No. 33, Grand Army of the Republic, at a regular meeting held December 1, 1916, at Devils Lake, N. Dak., favoring the passage of the volunteer officers' retirement bill, which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

Resolutions passed by General Crook Post, No. 33, Grand Army of the Republic, at a regular meeting held December 1, 1916.

Whereas there is now pending in the Congress of the United States a bill entitled "The volunteer officers retirement bill," and which bill proposed to place the volunteer officers who served during the Civil War in the same position as officers of the Regular Army upon their retirement from service, placing them upon the retired list with pro rata pay as provided by law; and

Whereas we believe that the passage of this act would be but a long-delayed act of justice toward such volunteer officers: Therefore be it

Resolved, That this post of the Grand Army of the Republic hereby approves of the spirit and purpose of said act and urge our Senators and Representatives in Congress to aid in every possible way the passage of said bill.

By command of—

JAMES MCCORMICK, *Commander.*
By ALBERT ROBERTS, *Adjutant.*

WATER-POWER DEVELOPMENT.

Mr. SMITH of Michigan. I present a communication from the Michigan State Grange, which I should like to have read for the information of the Senate.

There being no objection, the communication was read and ordered to lie on the table, as follows:

MICHIGAN STATE GRANGE,
Lansing, Mich., December 13, 1916.

Hon. WILLIAM ALDEN SMITH,
Senate Chamber, Washington, D. C.

MY DEAR SIR: The following resolutions were introduced for immediate action and unanimously adopted at the annual session of the Michigan State Grange now in session in this city:

Resolved by the State Grange of Michigan, an organization representative of agriculture and jealous of the rights of the common people—

1. That we view with alarm the action of both branches of the Congress in passing bills giving to private ownership the vast potential wealth represented by the water power of navigable streams and in national reservations, and by attempting to dispose of the oil fields belonging to the National Government, without which, under modern conditions, an efficient navy is an impossibility;

2. We hereby enter our most earnest protest against the passage of the Shields bill, covering water power on navigable streams; the Myers bill, covering water power on public lands; and the oil-land provisions of the Phelan bill; all of which, under the specious plea of providing for the development of natural resources give to private citizens and monopolies the wealth belonging to the people and the supplies needed for adequate defense, and we call upon our Senators and Representatives in Congress to use every effort to defeat these bills, and ask that our protest be entered in the CONGRESSIONAL RECORD; and

3. In the event of the passage of these pernicious measures, we most respectfully urge President Wilson to interpose his veto and save for the people of this Nation and their children this small portion of the priceless heritage of natural resources bequeathed them by the founders and builders of this Republic.

Very respectfully, JENNIE BUELL, *Secretary.*

EDUCATION OF IMMIGRANTS.

Mr. SMITH of Michigan. I present a communication from the Detroit Board of Commerce, which I ask may be read for the information of the Senate.

There being no objection, the communication was read and ordered to lie on the table, as follows:

DETROIT BOARD OF COMMERCE,
Detroit, Mich., December 14, 1916.

Senator WILLIAM A. SMITH,
Washington, D. C.

DEAR SENATOR SMITH: I have been instructed by the board of directors of the Detroit Board of Commerce to submit to you the following resolution, which was adopted by the board of directors of this board Friday, December 8, 1916:

"Resolved, That the board of directors of the Detroit Board of Commerce urge the Members of Congress from Michigan that everything possible be done to secure an appropriation of $50,000, to be administered through the United States Bureau of Education for the purpose of disseminating information as to the methods, standards, and established practices in the education of immigrants and in stimulating the extension of the necessary education facilities looking to the Americanization of the foreign-born or alien residents of this country."

With kindest regards, I am, very sincerely, yours,

WALTER C. COLE, *Secretary.*

INDIANA STATE SOLDIERS' HOME.

Mr. KERN. I have a letter in the nature of a petition from Mr. Canfield, adjutant of the State Soldiers' Home of Indiana, and also a statement signed by him giving the average age of the members of that institution who were officers in the Civil War. I ask that both be printed in the RECORD.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

INDIANA STATE SOLDIERS' HOME,
Lafayette, Ind., December 8, 1916.

Hon. JOHN W. KERN,
United States Senate, Washington, D. C.

DEAR SIR: I send you herewith a roster of the members of this home who were officers in the Civil War, who, with me, are most anxious for our bill (S. 392, H. R. 386) to be acted upon. We have confidence in our friends being able to pass it if they can only get it to vote.

I have given you the ages on this roster, and you will see the average is 78 years. I also give you some figures showing how little the bill would cost. I take the members here:

	Per month.
Pension	$30.00
Government pays ($100 annually to State)	8.33
State clothes the man	2.67
State subsists man and wife	32.00
Total	73.00

The above is the average cost for the officers who have been forced to go to soldiers' homes. Deduct this amount given us in the officers' bill and see how little it will cost to let us end our days in our own homes.

I hope we have not taken too much of your valuable time, but you will readily see how very serious this matter is to us.

Yours, very respectfully,

H. R. CANFIELD,
Adjutant, Indiana State Soldiers' Home.

DECEMBER 8, 1916.

SIR: We, former officers of the Union Army in the War for the Preservation of the Union, and at this time members of the Indiana State Soldiers' Home at Lafayette, Ind., respectfully ask your best efforts to prompt enactment of the Volunteer officers' retired bill (S. 392, H. R. 386), which has been favorably reported by the Military Committees of both Houses. We will deeply appreciate all you may do for us.

NAME, RANK, REGIMENT, AND AGE.

William W. Angel, first lieutenant Company G, Twelfth Indiana, 80.
James Beeber, captain Company D, Seventy-third Indiana, 76.
Samuel L. Campbell, first lieutenant Company D, One hundred and thirty-fifth Indiana, 76.
Thomas B. Carey, first lieutenant Company F, Seventieth Indiana, 77.
William A. Early, second lieutenant and quartermaster Second Battalion, First Missouri Cavalry, 84.
James Glenn, Captain Company I, One hundred and thirty-fourth United States Infantry, 80.
Alexander Lawrie, captain Company B, One hundred and twenty-first Pennsylvania Infantry, 88.
Elmore T. Montgomery, first lieutenant Company C, One hundred and first Indiana, 75.
Joseph McClellen, first lieutenant Company C, One hundred and twenty-third Indiana, 74.
Leroy Rogers, second lieutenant Company K, Eighty-seventh United States Colored Infantry, 71.
Isaac A. Sheaffer, second lieutenant Company K, Eighteenth Ohio Infantry, 72.

Russell D. Utter, chaplain One hundred and fiftieth Indiana Infantry, 80.
H. R. Canfield, first lieutenant Seventeenth United States Cavalry Troop, 72. (Not member of Indiana State Soldiers' Home.)
Average age, 78.

H. R. CANFIELD,
Adjutant, Indiana State Soldiers' Home.

TORRENS SYSTEM OF LAND TITLES.

Mr. MARTIN of Virginia. Mr. President, I present a copy of a bill providing for the Torrens registration system of land titles, which has been recommended by the American Bar Association. I desire that it be printed as a Senate document. Under the practice here I am willing that it shall go to the Committee on Printing.

The VICE PRESIDENT. It will be referred to the Committee on Printing.

FEDERAL RESERVE BOARD.

Mr. HITCHCOCK. Mr. President, I ask to have printed in the RECORD a statement issued by the Federal Reserve Board on the 27th of November, which as yet has had no official publication anywhere, and which warns the banks of the United States against the investment of their funds, which should be liquid, in the securities of foreign governments, such as treasury bills.

I think this a very important statement; that the effect of it was to essentially place the Federal Reserve Board at the head of the financial affairs of the United States, and permanently to bring about that reform which was intended by legislation. It has had a marked effect in controlling the conduct of banks since that time. For that reason, and because it is an epoch-making document, I should like to have it published in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

In view of contradictory reports which have appeared in the press regarding its attitude toward the purchasing by banks in this country of treasury bills of foreign governments, the board deems it a duty to define its position clearly. In making this statement the board desires to disclaim any intention of discussing the finances or of reflecting upon the financial stability of any nation, but wishes it understood that it seeks to deal only with general principles which affect all alike.

The board does not share the view, frequently expressed of late, that further importations of large amounts of gold must of necessity prove a source of danger or disturbance to this country. That danger, the board believes, will arise only in case the inflowing gold should remain uncontrolled and be permitted to become the basis of undesirable loan expansions and of inflation. There are means, however, of controlling accessions of gold by proper and voluntary cooperation of the banks, or if need be by legislative enactment. An important step in this direction would be the anticipation of the final transfer of reserves contemplated by the Federal reserve act to become effective on November 16, 1917. This date could be advanced to February or March, 1917. Member banks would then be placed on the permanent basis of their reserve requirements and fictitious reserves would then disappear and the banks have a clearer conception of actual reserve and financial conditions. It will then appear that while a large increase in the country's gold holdings has taken place the expansion of loans and deposits has been such that there will not remain any excess of reserves, apart from the important reserve loaning power of the Federal reserve banks.

In these circumstances the board feels that member banks should pursue a policy of keeping themselves liquid; of not loaning down to the legal limit, but of maintaining an excess of reserves—not with reserve agents, where their balances are loaned out and constitute no actual reserve, but in their own vaults or preferably with their Federal reserve banks. The board believes that at this time banks should proceed with much caution in locking up their funds in long-term obligations or in investments, which are short term in form or name, but which, either by contract or through force of curcumstances, may in the aggregate have to be renewed until normal conditions return. The board does not undertake to forecast probabilities or to specify circumstances which may become important factors in determining future conditions. Its concern and responsibility lies primarily with the banking situation. If, however, our banking institutions have to intervene because foreign securities are offered faster than they can be absorbed by investors—that is, their depositors—an element would be introduced into the situation which, if not kept under control, would tend toward instability and ultimate injury to the economic development of this country. The natural absorbing power of the investment market supplies an important regulator of the volume of our sales to foreign countries in excess of the goods that they send us. The form which the most recent borrowing is taking, apart from reference to its intrinsic merits, makes it appear particularly attractive as a banking investment. The board, as a matter of fact, understand that it is expected to place it primarily with banks. In fact, it would appear so attractive that unless a broader and national point of view be adopted individual banks might easily be tempted to invest in it to such an extent that the banking resources of this country employed in this manner might run into many hundreds of millions of dollars. While the loans may be short in form and severally, may be collected at maturity, the object of the borrower must be to attempt to renew them collectively, with the result that the aggregate amount placed here will remain until such time as it may be advantageously converted into a long-term obligation. It would therefore seem as a consequence that liquid funds of our banks, which should be available for short-credit facilities to our merchants, manufacturers, and farmers, would be exposed to the danger of being absorbed for other purposes to a disproportionate degree, especially in view of the fact that many of our banks and trust companies are already carrying substantial amonts of foreign obligations and of acceptances which they are under agreement to renew. The board deems it therefore its duty to caution the member banks that it does not regard it in the interest of the country at this time that they invest in foreign treasury bills of this character.

The board does not consider that it is called upon to advise private investors, but as the United States is fast becoming the banker of foreign countries in all parts of the world it takes occasion to suggest that the investor should receive full and authoritative data, particularly in the case of unsecured loans, in order that he may judge the future intelligently in the light of present conditions and in conjunction with the economic developments of the past.

The United States has now attained a position of wealth and of international financial power which, in the natural course of events, it could not have reached for a generation. We must be careful not to impair this position of strength and independence. While it is true that a slowing down in the process of credit extension may mean some curtailment of our abnormally stimulated export trade to certain countries, we need not fear that our business will fall off precipitately should we become more conservative in the matter of investing in loans, because there are still hundreds of millions of our own and foreign securities held abroad which our investors would be glad to take over, and, moreover, trade can be stimulated in other directions.

In the opinion of the board it is the duty of our banks to remain liquid in order that they may be able to continue to respond to our home requirements, the nature and scope of which none can foresee, and in order that our present economic and financial strength may be maintained when, at the end of the war, we shall wish to do our full share in the work of international reconstruction and development which will then lie ahead of us, and when a clearer understanding of economic conditions as they will then exist will enable this country more safely and intelligently to do its proper part in the financial rehabilitation of the world.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WADSWORTH:

A bill (S. 7434) granting an increase of pension to Volkert V. Van Patten (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 7435) granting an increase of pension to Emerson G. Reeves (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 7436) for the relief of Morris Busch (with accompanying papers); to the Committee on Claims.

A bill (S. 7437) granting a pension to Charlotte Bloom; to the Committee on Pensions.

By Mr. SMITH of Georgia:

A bill (S. 7438) to make immediately available for the use of the State of Georgia in paying expenses incurred by said State in connection with the joint encampment held at Augusta, Ga., July 22 to 31, 1914, certain sums appropriated for arming and equipping the militia of said State (with accompanying papers); to the Committee on Military Affairs.

By Mr. CUMMINS:

A bill (S. 7439) granting a pension to Eliza J. Mosher, widow of Albert A. Mosher (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 7440) granting an increase of pension to John A. West (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7441) granting a pension to Minnie H. Wolf (with accompanying papers); and

A bill (S. 7442) granting an increase of pension to Minor A. Foster (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 7443) for the relief of Luther Cline; to the Committee on Military Affairs.

A bill (S. 7444) granting an increase of pension to Robert Thomas;

A bill (S. 7445) granting an increase of pension to Mary M. Dalzell; and

A bill (S. 7446) granting an increase of pension to Warren B. Rich; to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 7447) to amend section 269 of chapter 231 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary"; to the Committee on the Judiciary.

By Mr. WATSON:

A bill (S. 7448) granting an increase of pension to John R. Snider;

A bill (S. 7449) granting an increase of pension to Hiram L. Watson;

A bill (S. 7450) granting an increase of pension to Harrison Heckard;

A bill (S. 7451) granting an increase of pension to George W. Sparks;

A bill (S. 7452) granting an increase of pension to Albert Edwards;

A bill (S. 7453) granting an increase of pension to David Bruner;

A bill (S. 7454) granting an increase of pension to William Ross;

A bill (S. 7455) granting an increase of pension to Zebidee Baker;

A bill (S. 7456) granting an increase of pension to Arley O. Thomas;

A bill (S. 7457) granting an increase of pension to Hiram Storm;

A bill (S. 7458) granting an increase of pension to John Stoneburner;

A bill (S. 7459) granting a pension to Jessie Pearson;

A bill (S. 7460) granting an increase of pension to John W. Franklin;

A bill (S. 7461) granting an increase of pension to John S. Barton;

A bill (S. 7462) granting an increase of pension to John Hand;

A bill (S. 7463) granting an increase of pension to Conrad Kitts;

A bill (S. 7464) granting an increase of pension to August Fielder;

A bill (S. 7465) granting an increase of pension to Joseph Grubb;

A bill (S. 7466) granting an increase of pension to Elizabeth Baldwin;

A bill (S. 7467) granting a pension to Mary Nidifer;

A bill (S. 7468) granting an increase of pension to Hamilton B. Pate;

A bill (S. 7469) granting an increase of pension to Mary L. Campbell;

A bill (S. 7470) granting an increase of pension to Winfield S. Ramsay; and

A bill (S. 7471) granting a pension to Margaret Quedens; to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 7472) granting an increase of pension to Charles F. Perry (with accompanying papers);

A bill (S. 7473) granting an increase of pension to Daniel McNutt (with accompanying papers);

A bill (S. 7474) granting an increase of pension to Frederick Clark (with accompanying papers);

A bill (S. 7475) granting an increase of pension to Moses Cottle (with accompanying papers); and

A bill (S. 7476) granting an increase of pension to Joseph E. Reynolds (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMITH of Georgia submitted an amendment authorizing the Auditor for the State and Other Departments to credit E. A. Wreidt, disbursing officer of the Commission on Federal Aid to Vocational Education, with the sum of $102 in the final settlement of his accounts, etc., intended to be proposed by him to the sundry civil appropriation bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. WILLIAMS submitted an amendment relative to the enrollment of members of the Choctaw Tribe of Indians of persons identified as Mississippi Choctaws by the Commission to the Five Civilized Tribes under the provisions of section 21 of the act of Congress approved June 26, 1898, etc. (H. R. 18453), intended to be proposed by him to the Indian appropriation bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Indian Affairs.

FLOOD CONTROL.

Mr. GRONNA submitted an amendment intended to be proposed by him to the bill (H. R. 14777) to provide for control of the floods of the Mississippi River and of the Sacramento River, Cal., and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

PROHIBITION IN THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT. The morning business is closed.

Mr. SHEPPARD. I move that the Senate proceed to the consideration of Senate bill 1082.

Mr. GALLINGER. Pending that motion, Mr. President, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chilton	Fletcher	Hollis
Bankhead	Clapp	Gallinger	Hughes
Beckham	Colt	Gore	Husting
Brady	Cummins	Gronna	James
Brandegee	Curtis	Harding	Johnson, S. Dak.
Bryan	Dillingham	Hardwick	Jones
Chamberlain	Fernald	Hitchcock	Kenyon
Kern	Overman	Smith, Ga.	Tillman
Kirby	Page	Smith, Mich.	Townsend
La Follette	Penrose	Smoot	Underwood
Lane	Poindexter	Sterling	Vardaman
McCumber	Saulsbury	Stone	Wadsworth
Martin, Va.	Sheppard	Sutherland	Walsh
Martine, N. J.	Sherman	Swanson	Watson
Nelson	Shields	Thomas	Works
Oliver	Smith, Ariz.	Thompson	

Mr. THOMAS. I desire to announce the absence of my colleague [Mr. SHAFROTH] on account of illness. I will let this announcement stand for the day.

Mr. KIRBY. I desire to announce the absence of my colleague [Mr. ROBINSON], who is detained on account of illness.

The VICE PRESIDENT. Sixty-three Senators have answered to the roll call. There is a quorum present. The Senator from Texas moves that the Senate proceed to the consideration of Senate bill 1082.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1082) to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes.

Mr. GALLINGER. Mr. President, there has been more or less discussion concerning the need of alcohol in scientific laboratories in the United States, and in that connection I beg to present a letter from the Bureau of Chemistry, Department of Agriculture, and ask that it may be read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read the communication, as follows:

DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY,
Washington, D. C., December 16, 1916.

Hon. J. H. GALLINGER,
United States Senate.

MY DEAR SENATOR GALLINGER: Replying to your letter of December 14, inquiring whether the Government requires pure alcohol for use in scientific research and investigation in its laboratories, and what effect it would have upon such laboratories should they be prevented by law from securing pure alcohol, I beg to say that the Bureau of Chemistry does require pure alcohol for use in scientific research. If the Bureau of Chemistry were not permitted to use pure alcohol in its scientific research and in its analytical work in connection with the enforcement of the food and drugs act, much of the work now under way would be brought to a standstill. Alcohol is so largely used by chemists that it forms an essential reagent in the preparation of many substances and in the making of many analyses. If it were impossible to use it, and it would be necessary to endeavor to devise new methods of preparation and new methods of analyses for certain methods of preparation, long studies, possibly lasting years, would be required in order to find a substitute. For other methods of preparing certain substances it may be impossible to find a substitute.

In the place of analytical methods in which alcohol is used, entirely new methods would have to be devised, and to do so would require the work of many men extending over a long period. In certain cases it is altogether probable that no satisfactory substitute could be found. In short, to deprive the Bureau of Chemistry of the possibility of using pure alcohol in its work would hamper a great part of the work required by law to be done, and would make some, if indeed not all of it, permanently impossible. The obstacles thus imposed upon the bureau might to some degree be overcome through years of investigation, but even then only partially.

Very truly, yours, C. L. ALSBERG, *Chief.*

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Utah [Mr. SMOOT] as modified.

Mr. SMOOT and Mr. UNDERWOOD called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. BECKHAM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. DU PONT], who is absent. I shall therefore withhold my vote. If permitted to vote, I should vote "nay."

Mr. CHILTON (when his name was called). I have a pair with the Senator from New Mexico [Mr. FALL]. In his absence I withhold my vote.

Mr. DILLINGHAM (when his name was called). I have a general pair with the Senator from Maryland [Mr. SMITH], who I observe is not in his seat. I therefore withhold my vote. If permitted to vote, I should vote "nay."

Mr. THOMAS (when Mr. SHAFROTH's name was called). If my colleague [Mr. SHAFROTH] were able to be present, he would vote "nay."

Mr. SHERMAN (when his name was called). I have a pair with the senior Senator from Louisiana [Mr. RANSDELL] and withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. OVERMAN (when Mr. SIMMONS's name was called). I desire to announce that my colleague is absent from the city on account of important business, and is paired with the Senator from Minnesota [Mr. CLAPP].

I also desire to say, while I am on my feet, that I am paired with the junior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the Senator from Arkansas [Mr. ROBINSON] and will let my vote in the negative stand.

Mr. STERLING (when his name was called). It is understood that my general pair with the Senator from South Carolina [Mr. SMITH] does not extend to this measure or any of the amendments thereto. I therefore vote "nay."

Mr. WALSH (when his name was called). I have a pair with the Senator from Rhode Island [Mr. LIPPITT], who is absent. I transfer that pair to the Senator from Colorado [Mr. SHAFROTH] and vote "nay."

The roll call was concluded.

Mr. CLAPP (after having voted in the affirmative). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I observe that he is absent. I am also advised that if present he would vote "nay." Therefore, being unable to obtain a transfer, I am constrained to withdraw my vote.

Mr. BECKHAM. I transfer my pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Illinois [Mr. LEWIS] and vote "nay." The Senator from Illinois is absent on account of illness.

Mr. CHILTON. I transfer the pair which I announced with the Senator from New Mexico [Mr. FALL] to the Senator from South Carolina [Mr. SMITH] and vote "nay." If the Senator from South Carolina were present he would also vote "nay," as I understand. He is detained from the Senate on account of illness in his family.

Mr. KERN. The following Senators are detained from the Senate on account of illness: The Senator from Illinois [Mr. LEWIS], the Senator from Louisiana [Mr. RANSDELL], the Senator from Louisiana [Mr. BROUSSARD], and the Senator from Tennessee [Mr. LEA].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Tennessee [Mr. LEA]; and

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS].

Mr. GALLINGER. I have voted in the negative, but I have observed that the senior Senator from New York [Mr. O'GORMAN], with whom I have a general pair, has not voted. Therefore I withdraw my vote.

Mr. PENROSE. I did not vote when my name was called because I am paired with the senior Senator from Mississippi [Mr. WILLIAMS], and he being absent I withheld my vote.

Mr. OWEN. I transfer my pair with the Senator from New Mexico [Mr. CATRON] to the Senator from Nevada [Mr. NEWLANDS] and vote "nay."

The result was announced—yeas 8, nays 61, as follows:

YEAS—8.

Ashurst	Curtis	Reed	Thompson
Brady	Gronna	Smoot	Works

NAYS—61.

Bankhead	Hitchcock	Martine, N. J.	Smith, Ga.
Beckham	Hollis	Nelson	Smith, Mich.
Borah	Hughes	Newlands	Sterling
Brandegee	Husting	Norris	Stone
Bryan	James	Oliver	Sutherland
Chamberlain	Johnson, Me.	Overman	Swanson
Chilton	Johnson, S. Dak.	Owen	Thomas
Clark	Jones	Page	Townsend
Colt	Kenyon	Phelan	Underwood
Culberson	Kern	Pittman	Vardaman
Cummins	Kirby	Poindexter	Wadsworth
Fernald	La Follette	Pomerene	Walsh
Fletcher	Lee, Md.	Saulsbury	Watson
Gore	Lodge	Sheppard	
Harding	McCumber	Shields	
Hardwick	Martin, Va.	Smith, Ariz.	

NOT VOTING—27.

Broussard	Goff	O'Gorman	Smith, Md.
Catron	Lane	Penrose	Smith, S. C.
Clapp	Lea, Tenn.	Ransdell	Tillman
Dillingham	Lewis	Robinson	Warren
du Pont	Lippitt	Shafroth	Weeks
Fall	McLean	Sherman	Williams
Gallinger	Myers	Simmons	

So Mr. SMOOT's amendment as modified was rejected.

Mr. REED. Mr. President, I move to strike out of the bill the following language appearing in lines 5 to 7 on page 2:

For beverage purposes or for any other than scientific, medicinal, pharmaceutical, mechanical, sacramental, or other nonbeverage purposes.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 2, lines 5, 6, and 7, after the word "liquors," it is proposed to strike out the remainder of the paragraph, which reads:

For beverage purposes or for any other than scientific, medicinal, pharmaceutical, mechanical, sacramental, or other nonbeverage purposes.

Mr. REED. Mr. President, I can state the purpose of this amendment in a very few words.

Under the bill as it now stands alcohol can be manufactured within the District of Columbia in unlimited quantities and shipped to any part of the United States, provided there is furnished a certificate that it is not obtained for beverages purposes. Of course, alcohol is never used for beverage purposes, and everybody can sign that certificate. Accordingly, if this bill passes in its present form, alcohol can be manufactured in unlimited quantities within the District of Columbia and sent to every State of the Union. When it arrives there the only limitation is that the man who bought it shall not use it for beverage purposes, but he can use it as a raw material in making any kind of liquor, including whisky.

Now, if we are to make the city of Washington the habitat and city of refuge of distillers who sell liquor all over the United States I think we are acting in a manner which is absolutely inconsistent with the alleged purposes of this bill.

Mr. SHEPPARD. Mr. President, the Senator's fear is entirely unfounded. The sale of the liquor in the various States will be subject to the laws of those States. If it goes into dry States, its use for beverage purposes and sale for beverage purposes will be prevented by law. If it goes into wet States, it is already permitted. Besides, Mr. President, the commissioners keep in constant touch with such institutions in the District. They must secure annual licenses and must show the commissioners that they are acting in good faith and are complying with the spirit and purpose of the law.

Mr. REED. Mr. President, good faith as to what? Good faith as to those things covered by the terms of the bill. What are the terms of the bill? The limitation is that the alcohol shall not be shipped out of the District for beverage purposes. Alcohol, I repeat, is never used for beverage purposes unless it should be by a very limited number of poor creatures who are utterly in the gutter. The limitation, therefore, which the commissioners can consider, or anybody can consider, is the limitation of the law. The limitation of the law is that the alcohol shall not be sent out to be drunk as a beverage.

Mr. SHEPPARD. And a complete record must be kept of the amount shipped out.

Mr. REED. Exactly; and when you have kept the complete record and it shows a million gallons a month, what of it?

Mr. SHEPPARD. Why, the commissioners would be put on notice, and they would make an investigation to see what was becoming of it.

Mr. REED. They would be put on notice to see that it was not used as a beverage; and what does that notice amount to when it never is used as a beverage? But there is no limitation in this law, and the author of this bill knows it, and I want to advise the country that there is no limitation in this law which would prevent the manufacture of millions of gallons of alcohol and sending it to any place where it can be shipped, and there having it employed for any purpose except beverage purposes, which means that it can be used as a raw material and transformed into any kind of drink that men will use as a beverage.

Mr. SHEPPARD. Does the Senator see how large a section of the Republic is under prohibition laws? [Exhibiting map.]

Mr. REED. I will come to the Senator's map in a minute, if he wants to hold it up. The alcohol made in the District, once it is shipped out of the District, can be used to make whisky of, and the whisky can be sold for a beverage, and not a single line of the bill will be violated—not a line. A man can do that and be strictly within the law. Now, if it is the theory of the authors of this bill that liquor is a product that poisons the souls and bodies of men, and if, proceeding upon that theory, they propose to prohibit its use within the District of Columbia, they ought not to provide that the District shall be kept as a place where the raw materials can be manufactured that will destroy men and women in other States.

Mr. VARDAMAN. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. I do.

Mr. VARDAMAN. I am really very much pleased to see the Senator's solicitude about the effect of liquor manufactured in the District of Columbia on the human system. Now, would the Senator like the bill better if we should prohibit the manufacture of alcohol in the city of Washington altogether?

Mr. REED. Yes.

Mr. VARDAMAN. Will the Senator vote for it with that provision in it?

Mr. REED. I will vote for that provision.

Mr. VARDAMAN. Will the Senator vote for a bill to stop the manufacture of alcohol?

Mr. REED. If you will amend the bill in other particulars, I will.

Mr. VARDAMAN. I should like to have the Senator indicate to me, because I should like to have his support for this bill, how he would like the bill modified. If he wants to promote temperance by prohibition, let us fix it to suit the Senator.

Mr. MARTINE of New Jersey. You can not do it by prohibition. Intemperance has never been stopped by prohibition.

Mr. VARDAMAN. If the Senator will pardon me, I am talking about the Senator from Missouri now, and not the Senator from New Jersey.

Mr. MARTINE of New Jersey. I know you are. Well, you are talking of me, too. [Laughter.]

Mr. VARDAMAN. No; I am not.

Mr. MARTINE of New Jersey. That is what I think about it, at any rate.

Mr. REED. Mr. President, one thing at a time. In order that this matter may be fully understood, it will be noticed that the first section of the bill provides:

That no person, * * * company, etc., shall, in the District of Columbia, manufacture for sale or gift, import for sale, sell, offer for sale, keep for sale, traffic in, barter, export, ship out of the District of Columbia or exchange for goods or merchandise, or solicit or receive orders for the purchase of, any alcoholic or other prohibited liquors—

Now, thus far there is an absolute prohibition, but notice the limitation contained in the succeeding language—

for beverage purposes or for any other than scientific, medicinal, pharmaceutical, mechanical, sacramental, or other nonbeverage purposes.

The qualifying words, then, make the section mean this—that you can manufacture liquor within the District of Columbia and can send it anywhere in the world, provided it is not there used for beverage purposes. The protection against manufacturing and selling for other than beverage purposes is merely the certificate of the purchaser that he does not intend to use the liquor for beverage purposes, and the supervisory power of the commissioners to see that the liquor is not used for beverage purposes. Now, that might constitute some limitation upon the manufacture of wine, which can be used as a beverage, or upon the manufacture of whisky, which can be used as a beverage, but it constitutes no limitation upon the manufacture of alcohol, which is not used as a beverage.

Mr. VARDAMAN. Mr. President, may I ask the Senator a question?

Mr. REED. Let me conclude my sentence. Accordingly, I repeat, a man who is here now or an institution that may hereafter come within the District of Columbia, can set up an alcohol distillery of unlimited capacity, and can sell alcohol in any State of the Union where it can find a purchaser, because it does not go there to be used as a beverage. Alcohol is always a raw material, and it is that raw material from which whiskey is produced; and under this bill, with these words of limitation in it there could be manufactured in this District enough alcohol to supply the raw material to make every gallon of whisky that is consumed in the United States, and there is nothing in the bill to prevent that sort of abuse.

Mr. VARDAMAN. Mr. President, will the Senator yield to me now?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. I do.

Mr. VARDAMAN. Does the Senator hold that if the letter of the law and the spirit of the law should be carried out alcohol could be bought under this bill for the manufacture of liquor to be used for beverage purposes?

Mr. REED. Undoubtedly. It is a mere raw material going into liquor.

Mr. VARDAMAN. The language is:

Any alcoholic or other prohibited liquors for beverage purposes or for any other than scientific, medicinal, pharmaceutical, mechanical, sacramental, or other nonbeverage purposes.

Mr. REED. Exactly.

Mr. VARDAMAN. It seems to me, Mr. President, if the Senator will pardon me, that that clearly prohibits the use of this alcohol for the manufacture of something that is a beverage.

Mr. REED. Oh, no.

Mr. VARDAMAN. I do not think there is any question about it.

Mr. REED. The law would be strictly construed. This alcohol, once it is made and shipped from the District of Columbia, can be employed in manufacturing other products. Alcohol is a large constituent in a vast number of things, including bay rum, witch-hazel, and tens of thousands of things. Among other things, it is a raw material from which whisky is made. It is a raw material that enters into cordials that are used at the table. It is a large constituent element of such cordials as crême de menthe, and other similar cordials. It is a raw material and can be sold and used as a raw material under this bill; and, being a raw material, it can thereafter be transformed into another material, and that material sold and drank in any part of the country, unless the local laws make it impossible so to sell it.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Texas?

Mr. REED. Yes; certainly.

Mr. SHEPPARD. Under the Senator's amendment, alcoholic liquors could not be shipped into the District of Columbia for medicinal purposes?

Mr. REED. No. The language is "export, ship out of the District of Columbia, or exchange for goods or merchandise."

Mr. SHEPPARD. The words "import for sale" occur in line 1 of page 2.

Mr. REED. Yes.

Mr. SHEPPARD. You prevent its importation for sale for any purpose whatever.

Mr. REED. If there is a necessity to put in another word, we can put it in.

The author of this bill will not deny that it is his purpose to permit the present distillers of the District of Columbia to continue to distill their alcohol and sell it all over the United States wherever they can sell it, subject only to a limitation which is not a limitation at all, namely, that it shall not be sold for beverage purposes.

Mr. SHEPPARD. The Senator ought to add, subject also to the laws of the States.

Mr. REED. I said wherever it could be sold.

Mr. SHEPPARD. It could only be sold in a very small section of the country [handing map].

Mr. REED. I do not care anything about your map. I have seen these black-and-white maps ad nauseum. They generally are misleading. Liquor can be sold to-day in that part of the United States which contains fully one-half of the population of the United States. The mountains of Montana make a big picture on a map, but there are not many people who live in those mountains, and so of the rest of the white portion of the map.

But that is only dodging. If this thing is wrong, it is wrong. If it is an evil, it is an evil. If it ought to be suppressed by the Federal Government, then it is no excuse to say that the sale outside of the District will be limited because other people have passed prohibitory laws. That is the Government of the United States writing into its laws, under the leadership of the distinguished Senator from Texas, something like this: "The liquor business is declared to be an iniquitous business, destroying the souls and bodies of men, but we propose to allow all of it to be made in the District of Columbia that anybody wants to make, provided he only poisons the people of certain parts of the United States."

You can not draw the red lines of a map around a moral question. If this evil is of the character the Senator complains, if it is wrong to sell liquor to the people of the District, it is equally wrong and wicked to provide a place in the District of Columbia where liquors can be made to be administered to the unfortunates of other States.

The truth is, and everybody ought to know it by this time, that it is proposed to protect Mr. Corby and other gentlemen possibly who may have large sums of money invested in the production of alcohol. If we are to admit the doctrine that because a business is established and a large sum of money invested in it therefore we are not to touch with the finger of the law any such interests, every brewery in the United States would be excepted, every saloon, every hotel bar.

Certainly, the author of this bill can not take that ground. Here are two institutions in the District of Columbia. One is a brewery and makes beer; the other is a distillery and makes alcohol. Pass this law and the distiller will run on at full blast. The worms of his still will continue to turn out every day many gallons of alcohol. The brewery will be stopped.

Now, between the two classes of drinks, alcohol and its immediate products, and beer, every student of the question of temperance knows that the alcoholic liquor, speaking now in the sense of what we call hard drinks, whisky, brandies, and so forth, is much more destructive than the milder thing we call beer.

If the Senator proposed to allow alcohol to be manufactured in this District and proposed that all of it should be denatured, I would not say a word, because then it would be limited by virtue of its quality to mechanical purposes. But he does not intend to do that. He intends to except Mr. Corby and similar gentlemen so that their business shall not be interfered with, while all the other business is.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Missouri.

Mr. REED. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LODGE. I ask to have the amendment stated.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 2, lines 5, 6, and 7, it is proposed to strike out the words "for beverage purposes or for any other than scientific, medicinal, pharmaceutical, mechanical, sacramental, or other nonbeverage purposes," so that if amended it will read:

Export, ship out of the District of Columbia, or exchange for goods or merchandise, or solicit or receive orders for the purchase of any alcoholic or other prohibited liquors.

Mr. LODGE. Striking out the last three lines?

The PRESIDENT pro tempore. The last three lines.

Mr. BORAH. Did the Senator from Missouri observe the reading of the amendment as stated from the desk? Is that the way he offered it?

Mr. LODGE. It is to strike out the last three lines.

Mr. BORAH. Is that the amendment of the Senator?

Mr. REED. Yes; I strike out the words of limitation so that the bill stands as an absolute prohibition of the manufacture within this District to be shipped elsewhere.

Mr. SHEPPARD. Or the importation into the District from outside for any purpose.

Mr. LODGE. For any purpose whatever?

Mr. SHEPPARD. For any purpose whatever—sacramental, medicinal, or other.

Mr. REED. The purpose of the amendment is to stop the shipping out of the District.

Mr. BORAH. That is the reason why I asked the Senator about his amendment. I am willing to stop shipping out of the District.

Mr. REED. If the Senate will bear with me for a minute, I will perfect the amendment so as to limit it to that language.

Mr. POINDEXTER. I suggest that we proceed with the consideration of the bill and that the Senator from Missouri reserve his amendment until a later time and reoffer it.

Mr. REED. I have no objection to that course. I will let the amendment lie on the table for the present.

The PRESIDENT pro tempore. The Senator from Missouri withdraws his amendment?

Mr. REED. I will withdraw it for the present and offer it in a few moments.

Mr. GRONNA. I offer the following amendment: On page 2, line 1, after the word "sale," I move to insert the words "or gift." I call the attention of the Senator from Texas to my amendment, and I trust that he will accept it so far as he is able to do so.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 2, line 1, after the words "import for sale" insert the words "or gift," so as to read:

Import for sale or gift.

Mr. SHEPPARD. I accept the amendment.

The PRESIDENT pro tempore. The amendment being offered to the bill while it is pending, the Chair understands he will have to put the question. The question is on the amendment of the Senator from North Dakota.

The amendment was agreed to.

Mr. UNDERWOOD. Has the Senator from Texas finished perfecting the bill?

Mr. SHEPPARD. I have offered all the amendments I intend to offer for the present.

Mr. UNDERWOOD. Mr. President, I present a substitute for the bill. A part that I have prepared has been printed. I have had to change the substitute as printed to conform to the amendments agreed to by the Senate on Saturday. The way the amendment reads now, the first 10 paragraphs are the same as the amendment I offered some time ago for a referendum and the last 4 paragraphs are the same as the printed form that I offered. The other portions of the substitute I offer conform identically with the bill as perfected by the Senator from Texas on Saturday evening. I send it to the desk and ask that it be read.

The PRESIDENT pro tempore. The Secretary will read.

The Secretary proceeded to read the amendment of Mr. UNDERWOOD, which was to strike out all after the enacting clause and to insert a substitute.

Mr. SHEPPARD. I wish to ask the Senator from Alabama if he considers it necessary to have the remainder of the amendment read, inasmuch as it is in the same terms as the bill as amended to-day?

Mr. UNDERWOOD. I have cut out the language of the bill as submitted by the Senator from Texas and inserted it in place of the other, except that I have renumbered and cross-numbered the sections.

Of course, I have no objection to the Senator's suggestion, and if the Senator desires it, I should be very glad to have the Secretary resume the reading of the amendment at section 35, which is the new part of the amendment, which relates to the referendum and not to the Sheppard bill.

The PRESIDENT pro tempore. Without objection, the Secretary will resume the reading with the section indicated.

The Secretary resumed and concluded the reading of the amendment.

Mr. UNDERWOOD. Mr. President, I desire to ask the Secretary to make an amendment on page 23, line 2, after the figure "$3," by inserting the words "per diem each," so that it will read:

That the managers, clerks, returning officers, and registrars shall be entitled to $3 each per diem for their services in conducting the said election.

The PRESIDENT pro tempore. The Chair understands the Senator from Alabama has a right to modify his amendment.

Mr. GALLINGER. Mr. President, perhaps the modification of the amendment had better be stated.

The SECRETARY. In section 37 of the amendment, on page 23, line 2, after the numeral "$3," it is proposed to insert the words "per diem each," so as to read:

That the managers, clerks, returning officers, and registrars shall be entitled to $3 per diem each.

Mr. GALLINGER. Mr. President, I observe that there is a provision in the amendment that the expenses of the referendum shall be paid from the treasury of the District of Columbia. If under the organic act Congress had dealt as it was intended it should, there would have been no money whatever in the treasury of the District of Columbia. There is more or less there now; but we are operating under the half-and-half principle. I would suggest to the Senator from Alabama that, as it is recognized that the Government has a partnership in this District and it is claimed that it owns half the property—though I think that is an exaggeration—the language should be "one-half from the revenues of the District and one-half from the Treasury of the United States from any money not otherwise appropriated."

Mr. UNDERWOOD. Mr. President, the question is not material to me. I really am not concerned in which way the expenses are paid, except that I think this is purely a local question, and we are trying to give the people of the District themselves an opportunity to vote on a matter in which they are concerned. I do not, therefore, see any reason why they should not pay for the election if they are going to vote.

Mr. GALLINGER. I will not urge it; but, after all, it has been universally recognized that the Government has an equal interest in this District with the people of the District.

Mr. UNDERWOOD. Under ordinary circumstances I would concur in what the Senator from New Hampshire has said, and I have always voted along that line; but as this is a purely local matter I shall leave it in this way.

Mr. GALLINGER. I will leave it there, too. I simply wanted to call the Senator's attention to the fact that I have stated.

The PRESIDENT pro tempore. The amendment of the Senator from Alabama will be modified as suggested by him.

The amendment of Mr. UNDERWOOD as modified is to strike out all after the enacting clause of the bill and to insert the following:

That upon the application of 25 per cent of the male taxpayers over 21 years of age, resident citizens of the District of Columbia, by petition in writing signed in person by such resident citizens, addressed to and filed with the Commissioners of the District of Columbia, asking that an election be held in such District for the purpose of submitting to the qualified voters thereof the question of whether or not the manufacture and sale of spirituous, vinous, or malt liquors shall be licensed therein, they shall within 30 days after the presentation of such petition order an election to be held in such District within 40 days from the time of making such order to determine the question of whether or not the manufacture and sale of spirituous, vinous, or malt liquors shall be licensed in compliance with existing law, or whether the sale of spirituous, vinous, or malt liquors within the District of Columbia shall be prohibited under the terms prescribed in this act.

SEC. 2. That all male resident citizens of the District of Columbia who are over the age of 21 years, of sound mind, and have not been convicted of an offense involving moral turpitude, and who have been residents of the District of Columbia and the voting precinct in which they reside for more than one year prior to the date of the holding of said election, shall constitute the qualified voters at said election. The managers of the said election shall be the sole judges of the qualifications of the voters.

SEC. 3. That notice of such election shall be published for 20 days preceding the election in some newspaper published in said District. The Commissioners of the District of Columbia shall provide for and give the publication and notice required in this section, and shall divide the District of Columbia into convenient precincts and prescribe

the voting places in said precincts, and give notice of the boundaries of said precincts and of the voting places at the time the notice is given of the holding of said election.

SEC. 4. That the Commissioners of the District of Columbia shall, within 10 days after the election is so ordered, appoint three managers, two clerks, and one returning officer for each precinct or voting place in said District to manage, conduct, and make returns of said election. Such managers, clerks, and returning officers so appointed shall, so far as practicable, be equally divided between those who favor and those who oppose the licensing of the manufacture and sale of said liquors.

SEC. 5. That as soon as practicable after the appointment of such managers, clerks, and returning officers for said election the commissioners shall notify each of them, in writing, of his appointment. Before opening the polls the managers, clerks, and returning officers appointed to conduct the election shall take an oath to support the Constitution of the United States and to faithfully perform their duties as officers of the election.

SEC. 6. That in the elections authorized under this act, submitting the question of licensing the manufacture and sale of liquors, the issue shall be, first, whether or not such manufacture and sale shall be permitted under existing law, or, second, whether such manufacture and sale of said liquors shall be prohibited under the terms prescribed in this act. The ballot issued in said election shall have printed thereon such phraseology as will enable each voter to express intelligently and clearly his choice on the issue to be voted upon by making a cross mark opposite to certain of the phrases so printed on the ballot, and the choice of the voter shall be so expressed. No ballot or vote shall be rejected or the count thereof refused for any failure to comply with this section, if the ballot clearly shows or indicates the choice of the voter as to such of the issues submitetd in the election as he attempts to vote upon. The purpose hereof is to provide for the determination of the issues indicated by a majority vote at the elections hereby authorized, and not to deprive any voter of his vote merely because of any technical inaccuracy or informality in his ballot.

SEC. 7. That the commissioners shall prepare and provide the necessary ballots, poll list, tally sheets, return sheets, instructions for holding the election, ballot boxes, voting booths, and other stationery or material necessary for the proper holding of the election, and the commissioners shall see that the same are delivered to one of the managers of each election precinct or voting place before the day of election. That the Commissioners of the District of Columbia are authorized and directed to appoint a registrar, or registrars, in each election precinct, whose duty it shall be to register the qualified voters of said precincts at such time and place and in such manner as may be prescribed by the Commissioners of the District of Columbia, and the said commissioners are hereby authorized to make such other rules and regulations and issue such orders as may be necessary in their discretion for the management of and the fair and orderly conduct of the said election.

SEC. 8. That immediately after the polls are closed the managers shall duly ascertain the result of the election at their respective voting places and make a certificate thereof, and also a copy of said certificate, and deliver the original certificate and ballot box containing the returns so made, together with the ballots, poll list, tally sheets, and other necessary papers to the returning officer for said polling place, who shall deliver the same to the commissioners at their office on or before noon of the second day after the election, and at the time of the delivery of said documents to the said returning officer, the managers shall post a copy of their said certificate at the voting place.

SEC. 9. That said commissioners shall, in open session five days after the election, canvass the returns so made, and under oath make a written declaration of the result of the election, showing the number of votes cast at each voting place for licensing the manufacture and sale of said liquors and the number of votes cast against licensing the manufacture and sale of said liquors. Said report shall be filed and recorded at once in the office of said commissioners and published in a newspaper published in the District of Columbia.

SEC. 10. That if in any election held under the authority of this act a majority of legal votes cast in said election shall be for the licensing the manufacture and sale of said liquors, thereafter the manufacture and sale of said liquors shall continue under the law as it exists in the District of Columbia at the time of the passage of this act, subject to any modifications that may be subsequently made by the Congress of the United States, but if in any election held under the authority of this act a majority of legal votes cast in said election shall be for the prohibition of the manufacture and sale of said liquors in the District of Columbia then sections 11 to 34, both inclusive, of this act shall become operative and remain in effect until a subsequent election held for the purpose of determining whether or not the licensed manufacture and sale of said liquors shall be permitted in the District of Columbia changes the result.

SEC. 11. That on and after 30 days after the Commissioners of the District of Columbia shall declare that a majority of the qualified voters of the District of Columbia have voted in favor of the prohibition of the manufacture and sale of spirituous, vinous, or malt liquors under the terms of this act no person or persons, or any house, company, association, club, or corporation, his, its, or their agents, officers, clerks, or servants, directly or indirectly, shall, in the District of Columbia, manufacture for sale or gift, import for sale, sell, offer for sale, keep for sale, traffic in, barter, export, ship out of the District of Columbia, or exchange for goods or merchandise, or solicit or receive orders for the purchase of, any alcoholic or other prohibited liquors for beverage purposes or for any other than scientific, medicinal, pharmaceutical, mechanical, sacramental, or other nonbeverage purposes.

Wherever the term "alcoholic liquors" is used in this act it shall be deemed to include whisky, brandy, rum, gin, wine, ale, porter, beer, cordials, hard or fermented cider, alcoholic bitters, ethyl alcohol, all malt liquors, and all other alcoholic liquors.

That any person or persons, or any house, company, association, club, or corporation, his, its, or their agents, officers, clerks, or servants, who shall directly or indirectly violate the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $300 nor more than $1,000, and shall be imprisoned in the District Jail or workhouse for a period of not less than 30 days nor more than 1 year for each offense.

SEC. 12. That the provisions of this act shall not be construed to prevent the manufacture, importation, exportation, or sale of denatured or of methyl alcohol, or of ethyl alcohol, for scientific, medicinal, pharmaceutical, or mechanical purposes, nor to prevent the sale of alcoholic or other prohibited liquors by druggists for medicinal purposes on prescriptions of physicians under the regulations set out in section 14 of this act: *Provided*, That the manufacture and sale of ethyl alcohol or of alcoholic liquors for sacramental purposes within the District of Columbia shall be restricted to manufacturers and druggists licensed, respectively, to make and sell such alcohol and alcoholic or other prohibited liquors, as hereinafter provided, for scientific, mechanical, pharmaceutical, medicinal, or sacramental purposes only.

SEC. 13. All railroad, steamboat, or other boat companies, express and transportation companies of any kind, which shall in any manner at any time transport intoxicating liquors into the District, are hereby required to keep a record, alphabetically arranged, in which shall be entered immediately upon receipt thereof the name of every person shipping or to whom intoxicating liquors are shipped, the amount and kind of liquor, the date of delivery, by whom and to whom delivered, and the affidavit of the person receiving the liquor as provided herein. After this record is made and before delivery it shall be signed by the consignee. The book shall be open to the inspection of any person during the business hours of the company. Such books or a copy of such records, attested by an officer of the company or verified by affidavit, shall be admissible as evidence in any court and shall be prima facie evidence of the fact therein stated in any trial or proceeding for the enforcement of the provisions of this act.

An employee or agent of any express company, railroad company, steamboat company, or transportation company charged with the duty of keeping such record who shall fail to keep such record shall be guilty of a misdemeanor.

Any railroad company, express company, steamboat company, or transportation company who shall not require some one of its employees to keep such record shall be fined not less than $25 nor more than $100 for every day or portion thereof during which such failure shall continue.

No railroad or other transportation company shall receive a package of liquor to be shipped or carried into the District without having attached to it the affidavit of the consignee stating the amount of the liquors, the kinds of liquors ordered, and that it is not purchased for, nor will such liquors be used by the consignee for, an illegal purpose.

SEC. 14. That regularly licensed and registered druggists or pharmacists in the District of Columbia shall not sell alcoholic or other prohibited liquors nor compound nor mix any composition thereof, nor sell any malt extract or other proprietary medicines containing alcohol, except such compounds, compositions, malt extracts, or proprietary medicines be so medicated as to be medicinal preparations or compounds unfit for use as beverages, except upon a written and bona fide prescription of a duly licensed and regularly practicing physician in the District of Columbia, whose name shall be signed thereto. Such prescription shall contain a statement that the disease of the patient requires such a prescription, shall be numbered in the order of receiving, and shall be canceled by writing on it the word "canceled" and the date on which it was presented and filled, and kept on file in consecutive order, subject to public inspection at all times during business hours. No such prescription shall be filied more than once. Every druggist or pharmacist selling intoxicating liquors as herein provided shall keep a book provided for the purpose, and shall enter therein at the time of every sale a true record of the date of the sale, the name of the purchaser, who shall sign his name in said book as a part of the entry, his residence (giving the street and house number, if there be such), the kind and quantity and price of such liquor, the purpose for which it was sold, and the name of the physician giving the prescription therefor. Such book shall be open to public inspection during business hours, and shall be in form substantially as follows:

Date.	Name of purchaser.	Residence.	Kind and quantity.	Purpose of use.	Price.	Name of physician.	Signature of purchaser.

Said book shall be produced before the Commissioners of the District of Columbia or the courts when required, and shall also contain a statement of the kind and amount of alcoholic and other prohibited liquors on hand when this act shall go into effect, and thereafter such druggist or pharmacist shall, on the order of the court or the Commissioners of the District, make a statement of the amount of intoxicating liquor sold or used in any manner since the last statement and the amount on hand at the date when such court or commissioners require such statement: *Provided*, That ethyl alcohol may be sold without a physician's prescription for mechanical, medicinal, pharmaceutical, or scientific purposes by registered and licensed druggists or pharmacists, or by licensed manufacturers, each and all of whom shall keep a book for the purpose of registering such sales in a similar manner and form as required for the sale of other alcoholic and other prohibited liquors by the provisions of this section: *Provided further*, That any person who shall make any false statement as to the purpose or use of alcohol purchased under the provisions of this section shall be deemed guilty of a misdemeanor and be fined for each offense not less than $50 nor more than $300, and in default of the payment of such fine shall be imprisoned in the jail or workhouse of said District not more than six months.

Any druggist or pharmacist who shall sell or dispense any alcoholic or other prohibited liquors, except in such manner as provided in this section, or who shall fail or refuse to keep the record herein required, or who shall refill any prescription, or who shall violate any other provisions of this act, shall be guilty of illegal selling, and upon conviction thereof shall be subject to the penalties prescribed in section 11 of this act. Upon a second conviction for said offense, in addition to the penalties prescribed in said section 11, it shall be a part of the judgment of conviction that the license of such druggist or pharmacist to practice pharmacy shall be revoked, and the court before which such person is tried and convicted shall cause a certified copy of such judgment of conviction to be certified to the board having authority to issue license to practice pharmacy in the District of Columbia.

Any physician who shall prescribe any alcoholic or other prohibited liquor except for treatment of disease, which, after his own personal diagnosis, he shall deem to require such treatment, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $100 nor more than $500, and in default of payment of said fine shall be imprisoned in the District jail or workhouse for not less than 30 nor more than 90 days, and upon a second conviction for said offense, in addition to the penalty above provided, it shall be a part of the judgment of conviction that the license of such physician to practice medicine be revoked, and the court before which such physician is tried and convicted shall cause a certified copy of such judgment of conviction to be certified to the board having authority to issue licenses to practice medicine in the District of Columbia.

SEC. 15. That when any minister, pastor, or priest of a religious congregation or church desires wine for sacramental purposes in the usual religious exercises of his denomination, he may apply to the Commissioners of the District of Columbia for a permit, stating the amount desired, for what period, and for what purpose, and said commissioners, if satisfied of the good faith of the application, shall grant a written permit to the applicant permitting the shipment to him, or the purchase by him, of such amount as is shown to be reasonably necessary, which amount shall be stated in the permit, together with the purpose for which it is to be used and the period to be covered by such use; the amount of wine permitted to be shipped or purchased under one permit shall not exceed 5 gallons, and the said permit shall be attached to the outside of the package by the shipper and remain so attached until delivered to the consignee, when it shall be canceled by the carrier. Said permit shall be void after 20 days, and shall not be used for more than one shipment.

SEC. 16. Any person, company, or corporation desiring to manufacture alcoholic or other prohibited liquors for the purposes permitted in this act shall on or before the 1st day of November of each year obtain a license from the Commissioners of the District of Columbia for the year beginning November 1 upon the payment of $100, which money shall be deposited with other license funds of the District. Druggists, wholesale or retail, desiring to sell alcoholic or other prohibited liquors for the purposes permitted in this act shall obtain a license in the same way for the same period, the fee for wholesale druggists being $25, for retail druggists $10. The commissioners shall have power to refuse or revoke all licenses referred to in this section if doubtful of the good faith of the licensee and his intention to comply with this act. Manufacturers licensed according to this section shall sell alcoholic and other prohibited liquors within the District of Columbia to druggists, hospitals, and scientific laboratories only, and only to such druggists as are licensed under the terms of this section. No others than druggists and manufacturers licensed according to this section may manufacture or sell alcoholic and other prohibited liquors in the District of Columbia, and these only for the purposes permitted by this act. Violations of this section shall be punished by fine of not less than $300 nor more than $1,000, and by imprisonment in the District jail or workhouse for not less than 30 days nor more than 1 year: *Provided*, That nothing in this act shall prevent any executive department or other establishment of the United States Government from purchasing or importing into the District of Columbia, free of tax and for its own uses, denatured, methyl, or ethyl alcohol for scientific, medicinal, pharmaceutical, or mechanical purposes.

SEC. 17. That every licensed manufacturer of alcoholic liquor not herein prohibited shall keep a permanent record of all sales and shipments of alcoholic liquor. Such record shall set forth the following information: The name of the consignee or purchaser, the quantity of liquor, the express company or other carrier by which such liquor was shipped, the date of sale or shipment, and the purpose of the purchase as set forth in the affidavit accompanying the order. Each common or special carrier of alcoholic liquors within the District shall keep a record as above provided, and a certified copy of such record with a copy of the affidavits shall be filed with the District Commissioners not later than the fifth day of each month for the calendar month preceding. No shipment of alcoholic liquors shall be made until the purchaser signs an affidavit that such alcoholic liquors are not purchased for nor will such liquors be used or sold by the consignee for beverage purposes. The District Commissioners shall keep a public record of such sales, shipments, and affidavits alphabetically arranged. Copies of the affidavit shall be attached permanently at the end of the record of each shipment or sale, and to each package containing liquor until delivered to the consignee. Any violation of this section shall be deemed a misdemeanor and be subject to the same penalties as provided in section 11 of this act.

SEC. 18. That it shall be unlawful for any common or other carrier, express company, or any person to deliver to any person, company, corporation, club, or association or order, his, or its agents, clerks, or employees, any liquors in the District of Columbia, knowing the same to be such, and in the case of shipments of liquors for purposes not prohibited it shall be unlawful to bring the same into the District of Columbia, or to deliver the same therein, in original packages or otherwise, on any Sunday or on any other day before 6 o'clock a. m. and after 5 o'clock p. m. Any common or other carrier, express company, or any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $100 or more than $500, or be confined in the District jail or workhouse not less than one nor more than six months, or by both fine and imprisonment, in the discretion of the court.

SEC. 19. That every person who shall directly or indirectly keep or maintain by himself or by associating with others, or who shall in any manner aid, assist, or abet in keeping or maintaining any clubhouse, or other place in which any alcoholic liquor is received or kept for the purpose of gift, barter, or sale, or for distribution or division among the members of any club or association by any means whatsoever, or who shall maintain what is commonly known as the "locker system" or other device for evading the provisions of this act, and every person who shall use, barter, sell, or assist or abet in bartering, selling any liquors so received or kept, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties prescribed in section 11 of this act; and in all cases the members, shareholders, associates, or employees in any club or association mentioned in this section shall be competent witnesses to prove any violations of the provisions of this section of this act, or of any fact tending thereto; and no person shall be excused from testifying as to any offense committed by another against any of the provisions of this act by reason of his testimony tending to criminate himself, but the testimony given by such person shall in no case be used against him.

SEC. 20. The keeping or giving away of alcoholic or other prohibited liquors for the purpose of evading the provisions of this act shall be deemed an unlawful selling, subject to the penalties provided in section 11 of this act.

SEC. 21. That if any person shall advertise or give notice by signs, billboards, newspapers, periodicals, or otherwise for himself or another the manufacture, offering for sale, or keeping for sale of alcoholic or other prohibited liquors for purposes forbidden or prohibited under this act, or shall circulate or distribute any price list, circulars, or order blanks advertising such liquors, or publish or distribute any newspaper, magazine, periodical, or other written or printed paper in which such advertisements of liquors appear, or shall permit to be posted upon his premises, or premises under his control (including billboards) or shall permit the same to so remain upon such premises, he shall be guilty of a misdemeanor and be fined not less than $100 nor more than $500.

SEC. 22. That if one or more persons who are competent to witness shall charge, on oath or affirmation before the corporation counsel of the District of Columbia or any of his assistants duly authorized to act for him, presenting that any person, company, copartnership, association, club, or corporation has or have violated or is violating the provisions of this act by manufacturing, offering for sale, keeping for sale, trafficking in, bartering, exchanging for goods, or otherwise furnishing alcoholic liquor, shall request said corporation counsel or any of his assistants duly authorized to act for him to issue a warrant, said attorney or any of his assistants shall issue such warrant, in which warrant the room, house, building, or other place in which the violation is alleged to have occurred or is occurring shall be specifically described, and said warrant shall be placed in the hands of the captain or acting captain of the police precinct in which the room, house, building, or other place above referred to is located, commanding him to at once thoroughly search said described room, house, building, or other place, and the appurtenances thereof, and if any such be found, to take into his possession and safely keep, to be produced as evidence when required, all alcoholic liquors and all the means of dispensing the same, also all the paraphernalia or part of the paraphernalia of a barroom or other alcoholic-liquor establishment, and any United States internal-revenue tax receipt or certificate for the manufacture or sale of alcoholic liquor effective for the period of time covering the alleged offense, and forthwith report all the facts to the corporation counsel of the District of Columbia, and such alcoholic liquor or the means for dispensing the same, or the paraphernalia of a barroom or other alcoholic-liquor establishment, or any United States internal-revenue tax receipt or certificate for the sale of alcoholic liquor effective as aforesaid, shall be prima facie evidence of the violation of the provisions of this act.

SEC. 23. That any person who shall, in the District of Columbia, in any street, or public or private road, alley, or in any public place or building or in or upon any street car, any other vehicle commonly used for the transportation of passengers, or in or about any depot, platform, or waiting station, drink any alcoholic liquor of any kind, or if any person shall be drunk or intoxicated in any street, alley, or public or private road or in any railroad passenger train, street car, or any public place or building, or at any public gathering, or if any person shall be drunk or intoxicated and shall disturb the peace of any person anywhere, he shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $10 nor more than $100, or by imprisonment for not less than 5 days nor more than 30 days in the workhouse or jail of the District of Columbia, or by both such fine and imprisonment.

SEC. 24. The payment of the special tax required of wholesale or retail liquor dealers by the United States by any person or persons other than manufacturers or druggists licensed under section 16 of this act, within the District of Columbia, shall be prima facie evidence that such person or persons are engaged in keeping and selling, offering and exposing for sale alcoholic liquors contrary to the provisions of this act, and a certificate from the collector of internal revenue, his agents, clerks, or deputies showing the payment of such tax, and the name or names of persons to whom issued, and the names of the person or persons, if any, associated with the person to whom such tax receipt is issued, shall be sufficient evidence of the payment of such tax and of the association of such persons for the selling and keeping, offering and exposing for sale of liquors contrary to the provisions of this act in all trials or legal inquiries.

SEC. 25. All houses, boathouses, buildings, clubrooms, and places of every description, including drug stores, where alcoholic liquors are manufactured, sold, vended, or furnished contrary to law (including those in which clubs, orders, or associations sell, barter, distribute, or dispense intoxicating liquors to their members, by any means or device whatever, as provided in section 20 of this act) shall be held, taken, and deemed common and public nuisances. And any person who shall maintain, or shall aid or abet, or knowingly be associated with others in maintaining such common and public nuisance, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties prescribed in section 11 of this act, and judgment shall be given that such house, building, or other place, or any room therein, be abated or closed up as a place for the sale or keeping of such liquor contrary to law, as the court may determine.

SEC. 26. The United States district attorney for the District of Columbia, or any citizen of the District of Columbia, may maintain an action in equity in the name of the United States to abate and perpetually enjoin such a nuisance as defined in the preceding section. The injunction shall be granted at the commencement of the action, and no bond shall be required. Any person violating the terms of any injunction granted in such proceedings shall be punished for contempt by a fine of not less than $100 nor more than $500 and by imprisonment in the District jail or workhouse for not less than 30 days nor more than 6 months, in the discretion of the court.

SEC. 27. That when any violation of this act is threatened, or shall have occurred, or is occurring, the doing of, or the continuance or repetition of the unlawful act, or any of like kind by the offending party may be prevented by a writ of injunction out of a court of equity upon a bill filed in all respects as in cases of liquor nuisances; in like manner the writ of injunction may be employed to compel obedience to any provision of this act.

SEC. 28. If a tenant of a building or tenement uses such premises, or any part thereof, in maintaining a common nuisance as hereinbefore defined, or knowingly permits such use by another, such use shall render void the lease under which he holds, and shall cause the right of possession to revert to the owner or lessor, who may, without process of law, make immediate entry upon the premises, or may avail himself of the remedy provided for the forcible detention thereof.

SEC. 29. Anyone who knowingly permits any building owned or leased by him or under his control, or any part thereof, to be used in maintaining a common nuisance hereinbefore described in section 26 of this act, after being notified in writing of such use, neglects to take all reasonable measures to eject therefrom the person so using the same, shall be deemed guilty of assisting in maintaining such nuisance.

SEC. 30. That no property rights of any kind shall exist in alcoholic liquors or beverages illegally manufactured, received, possessed, or stored under this act, and in all such cases the liquors are forfeited to the District of Columbia and may be searched for and seized and ordered to be destroyed by the court after a conviction when such liquors have been seized for use as evidence, or upon satisfactory evidence to the court presented by the corporation counsel that such liquors are contraband.

SEC. 31. Every wife, child, parent, guardian, or employer, or other person who shall be injured in person or property or means of support by any intoxicated person, or in consequence of intoxication, habitual or otherwise, of any person, such wife, child, parent, or guardian shall have a right of action, in his or her own name, against any person who shall, by selling or bartering intoxicating liquors, have caused the intoxication of such person, for all damages actually sustained, as well as for exemplary damages; and a married woman shall have the right to bring suit, prosecute, and control the same, and the amount recovered the same as if unmarried; and all damages recovered by a minor under this act shall be paid either to such minor or to his or her parents, guardian, or next friend, as the court shall direct.

SEC. 32. If any person while in charge of a locomotive engine, or while acting as a conductor or brakeman of a car or train of cars, or while in charge of any street car, steamboat, launch, or other water craft, and while in charge of or operating any automobile or horse vehicle in the District of Columbia shall be intoxicated, he shall be guilty of a misdemeanor, and if convicted shall be punished by a fine of not less than $25 nor more than $300, and in default in payment of said fine shall be imprisoned in the District Jail or workhouse for not exceeding three months, or both fine and imprisonment, in the discretion of the court.

SEC. 33. It shall be the duty of the Commissioners of the District of Columbia to enforce the provisions of this act. They shall detail qualified members of the police force to detect violations of the act, if any, and to report promptly all knowledge or information they may have concerning such violations, together with the names of any witnesses by whom they may be proven to the corporation counsel; but it shall be the duty of all members of the police force to detect violations of the act and to promptly report any information or knowledge concerning the same to the corporation counsel, together with the names of witnesses, by whom such violations may be proven; and the corporation counsel shall bring such alleged violators of the law to trial with all due diligence.

If any such officer shall fail to comply with the provisions of this section, he shall upon conviction be fined in any sum not less than $100 nor more than $500; and such conviction shall be a forfeiture of the office held by such person, and the court before whom such conviction is had shall, in addition to imposition of the fine aforesaid, order and adjudge the forfeiture of his said office. For a failure or neglect of official duty in the enforcement of this act any official herein referred to may be removed by court action.

SEC. 34. That prosecutions for violations of the provisions of this act shall be on information filed in the police court by the corporation counsel of the District of Columbia or any of his assistants duly authorized to act for him, and said corporation counsel or his assistants shall file such information upon the presentation to him or his assistants of sworn information that the law has been violated; and such corporation counsel and his assistants shall have power to administer oaths to such informant or informants, and such others as present themselves, and anyone making a false oath to any material fact shall be deemed guilty of perjury and subject to the same penalties as now provided by law for such offense.

When, however, it appears to the Commissioners of the District of Columbia that it will be in the interest of more effective enforcement of the provisions of this act, they may request the United States district attorney for the District of Columbia to prosecute persons charged with offenses against the law, and when so requested by said commissioners the said district attorney shall proceed before the grand jury and in the Supreme Court of the District of Columbia to prosecute such offenders in manner now prescribed by law for the prosecution of persons charged with violations of the laws against crime in the District of Columbia.

SEC. 35. That if for any reason any section, paragraph, provision, clause, or part of this act shall be held unconstitutional or invalid, that fact shall not effect or destroy any other section, paragraph, provision, clause, or part of the act not in and of itself invalid, but the remaining parts of sections shall be enforced without regard to that so invalidated.

SEC. 36. That in the interpretation of this act words of the singular number shall be deemed to include their plurals, and words of the masculine gender shall be deemed to include the feminine, as the case may be.

SEC. 37. That sections 11 to 34, both inclusive, of this act when put in operation by a vote of the qualified electors of the District shall remain in force until the Commissioners of the District shall declare that the majority of the qualified voters of said District have voted in favor of the licensed sale of spirituous, vinous, or malt liquors in said District, when said sections shall cease to be operative unless they are put into force and effect by a subsequent vote of said electors.

SEC. 38. That when an election has been held under the provisions of this act, subsequent elections may be petitioned for and held hereunder, but not sooner than three years from the date of the last preceding election.

SEC. 39. That the managers, clerks, returning officers, and registrars shall be entitled to $3 per diem each for their services in conducting the said election. The expenses and all claims arising under the provisions of this act shall be paid out of the District treasury, on proper proof, from money in the Treasury not specially otherwise appropriated.

SEC. 40. That any manager, clerk, returning officer, or registrar, or any voter or other person, who is guilty of misconduct, fraud, or corruption in the performance of any duty required of him under the provisions of this act or in the exercise of his right to vote, or in connection with the lawful holding of said election, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than $1,000 or shall be imprisoned in the District Jail or workhouse for a period of not more than one year, or both, in the discretion of the court.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Idaho?

Mr. UNDERWOOD. I do.

Mr. BORAH. Is the Senator from Alabama desirous of discussing his amendment at this time?

Mr. UNDERWOOD. I did propose to do so.

Mr. BORAH. I have an amendment to offer to his amendment, but I would just as soon offer it after the Senator gets through with the discussion as to offer it now.

Mr. UNDERWOOD. I will say to the Senator from Idaho that, so far as the portion of my amendment for a referendum is concerned, I have no pride of opinion about it. If any Senator can offer an amendment which will make it more reasonable in its terms or can insure a fairer election than can be secured under the terms which I have offered, I shall be glad to accept such amendment. I have no desire to fight such a proposition. I am only striving to give the people of the District of Columbia an opportunity to vote on this question. I am prepared to agree to any proposition that will safeguard the election. I think the proposals which I make do safeguard the election, but if they can be perfected I have no fight to make on such a proposition.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Colorado?

Mr. UNDERWOOD. I do.

Mr. THOMAS. Mr. President, discussion on this amendment, I think, is very necessary to a proper understanding of the question. The question itself is one of prime importance and I therefore suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Husting	Norris	Smith, Mich.
Beckham	James	Oliver	Smoot
Borah	Johnson, Me.	Overman	Sterling
Brady	Jones	Page	Swanson
Catron	Kenyon	Penrose	Thomas
Chamberlain	Kern	Phelan	Thompson
Chilton	Kirby	Pittman	Tillman
Colt	Lane	Poindexter	Townsend
Curtis	Lee, Md.	Reed	Underwood
Dillingham	Lodge	Saulsbury	Vardaman
Fernald	McCumber	Sheppard	Wadsworth
Gallinger	McLean	Sherman	Walsh
Gore	Martin, Va.	Shields	Watson
Harding	Martine, N. J.	Smith, Ariz.	Williams
Hitchcock	Nelson	Smith, Ga.	

Mr. KIRBY. I desire to announce the absence of my colleague, the Senator from Arkansas [Mr. ROBINSON], on account of illness. The announcement may stand throughout the day.

I also desire to announce that the Senator from South Dakota [Mr. JOHNSON] is absent on official business.

Mr. WALSH. The absence of my colleague [Mr. MYERS] is due to his illness.

The PRESIDENT pro tempore. Fifty-nine Senators have answered to their names. There is a quorum present.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Idaho?

Mr. UNDERWOOD. I do.

Mr. BORAH. I suggest to the Senator from Alabama that the amendment which I have in mind—and I make the statement so that the Senator may use his own pleasure about having it submitted now or later—provides for a wider vote upon this question in the District, including female as well as male voters.

Mr. UNDERWOOD. I think that is a question which the Senate should determine, but I prefer that such amendments shall be offered after I have made my presentation of the case.

Mr. THOMAS. Mr. President, if my memory serves me aright, the Senator from Indiana [Mr. KERN] offered such an amendment some days ago, and I think that such an amendment is on the Secretary's desk.

Mr. BORAH. It is immaterial to me who offers it. My amendment was submitted on March 3, 1916; but if the Senator from Indiana has offered such an amendment, it is immaterial to me which one is voted upon.

Mr. THOMAS. Of course, it is immaterial to me. I was laboring under the impression that perhaps the Senator was not advised of the fact, in giving notice of an amendment which he was going to offer, that the Senator from Indiana [Mr. KERN] had presented such an amendment several days ago.

Mr. UNDERWOOD. Mr. President, I desire first to comment on the provisions of the substitute that I have offered to the Sheppard bill. The first paragraph fixes the right of suffrage and provides for the number of petitioners and manner of calling for the referendum. It states:

That upon the application of 25 per cent of the male taxpayers over 21 years of age, resident citizens of the District of Columbia, by petition in writing signed in person by such resident citizens, addressed to and filed with the Commissioners of the District of Columbia, asking that an election be held in such District for the purpose of submitting to the qualified voters thereof the question of whether or not the manufacture and sale of spirituous, vinous, or malt liquors shall be licensed therein, they shall within 30 days after the presentation of such petition order an election to be held in such District within 40 days from the time of making such order to determine the question of whether or not the manufacture and sale of spirituous, vinous, or malt liquors shall be licensed in compliance with existing law, or whether the sale of spirituous, vinous, or malt liquors within the District of Columbia shall be prohibited under the terms prescribed in this act.

The referendum conforms to the laws that have been adopted in most of the States in reference to submitting the question of the sale of liquor to the citizens of a local community, a county, or a State. The only manner in which I have changed the usual form is that I have prescribed that the petition shall be by the male taxpayers over 21 years of age, instead of by the male resident citizens; and I wish to explain to the Senate why I have made this change.

Mr. MARTINE of New Jersey. Mr. President, as I understand, then, the Senator's amendment provides for a property qualification.

Mr. UNDERWOOD. No; not exactly. It provides for a property qualification for those who petition for an election. My main purpose in presenting the case in this way, however, was not to provide for a property qualification.

Mr. MARTINE of New Jersey. Well, pardon me; would the word "taxpayers" imply that a man who paid a poll-tax would be entitled to sign the petition?

Mr. UNDERWOOD. It would, but there is no poll-tax in the District of Columbia.

Mr. MARTINE of New Jersey. No; I understand that exactly. That is just my point. That would permit only men who were property holders to sign the petition?

Mr. UNDERWOOD. It would.

Mr. MARTINE of New Jersey. So there is a property qualification?

Mr. UNDERWOOD. Only for those who sign the petition for the submission of this question; but I will explain to the Senator, as I was about to explain to the Senate, why I adopted this method. In the District at the present time there is no organized election machinery, no registration of voters, and no method of determining who are the resident citizens of the District. Therefore, if we followed the usual terms of a law of this kind, and said that this petition should be signed by one-fourth of the resident citizens of the District of Columbia, there would be no way in which the Commissioners of the District of Columbia could ascertain who those resident citizens are. There is, however, a complete list of the taxpayers of this District accessible to the commissioners.

Mr. SHEPPARD. Mr. President, will the Senator permit a question?

Mr. UNDERWOOD. Certainly.

Mr. SHEPPARD. Would the Senator tell us how many taxpayers there are?

Mr. UNDERWOOD. I can approximate it, if the Senator will allow me to proceed for just a moment.

The sentiment of this community on the question of holding an election would probably be represented as fully and completely by confining the right to petition to taxpayers as if the entire resident citizenship of the District were permitted to sign. If this amendment is adopted all the resident citizens will be given the right to vote on the question itself. I did not think it was necessary or even of sufficient importance to require a registration of the resident citizens of the District of Columbia prior to determining the question as to whether or not there should be an election. I have avoided that expense and that trouble by providing that the petition shall be signed merely by the taxpayers of the District.

This particular question does not appear to me to be material. It is merely a matter of convenience. If one-fourth of the taxpayers of this District are not in favor of submitting what is here known as the Sheppard bill to a vote of the resident citizens of the District, then certainly there is no real sentiment in this District for the bill. If there is a real sentiment in this District for the Sheppard bill, certainly they can obtain the signatures of one-fourth of the taxpayers. Limiting this petition to the taxpayers will avoid confusion and possibly fraud. It absolutely settles who can sign the petition, and therefore I think it is the best method, if we are going to adopt an amendment to provide for a submission of this question to the voters of the District.

The Senator from Texas asked as to the number of taxpayers in the District of Columbia. For another purpose I had inquiries made at the tax office in the District, and I ascertain that the number of taxpayers in the District was about 50,000, which would probably represent somewhere between one-third and one-half of the voting population of the District.

Section 2 of the bill provides:

That all male resident citizens of the District of Columbia who are over the age of 21 years, of sound mind, and have not been convicted of an offense involving moral turpitude, and who have been residents of the District of Columbia and the voting precinct in which they reside for more than one year prior to the date of the holding of said election, shall constitute the qualified voters at said election. The managers of the said election shall be the sole judges of the qualifications of the voters.

Mr. President, in this amendment I have adopted broad terms for the qualification of these voters. So far as I am personally concerned, I would be willing to make the terms to be prescribed for the qualification of voters in the District conform to those prescribed in my own State; but I realize that I have not the power to fix the right of suffrage in the District of Columbia upon terms that would conform to the views of my own people. If we are to fix the right of suffrage in the District it must conform to the views of a majority of the constituencies of the country, as expressed by their representatives on the floor of the Senate.

I have been criticized by some of the leaders of the Antisaloon League because I have not attempted to eliminate the negro element in the District of Columbia from voting on this amendment. Some have gone so far as to say that I should have limited the right of suffrage solely to the white citizens of the District of Columbia. Of course, if I had followed that suggestion and written in this bill that the only persons entitled to vote in the election should be white citizens of the District of Columbia, I would have been immediately met with the charge that I was trying to commit a fraud on the people of the District of Columbia who favored prohibition, because they would have said that I had knowledge of the fact that the fifteenth amendment to the Constitution of the United States prohibited discrimination on account of race, color, or previous condition of servitude in determining the franchise in an election within the boundaries of the United States.

I have heard some gentlemen state that they did not believe that the terms of the fifteenth amendment applied to the District of Columbia. Of course, I recognize that there are some provisions in the Constitution of the United States that do not apply to the District of Columbia; but those great principles which protect the rights and the liberty and the property of the citizens of the United States undoubtedly apply to the people living within the District of Columbia as well as the people living within the several States. In fact, there are decisions to that effect. On one occasion a case went from the District of Columbia to the Supreme Court of the United States involving the question as to whether a citizen of the District of Columbia was entitled to a trial by jury, and the Supreme Court held that a citizen of the District of Columbia was entitled to a trial by jury just as any other citizen of the United States. The laws with relation to taxation apply to the District of Columbia as well as to the several States, and in my judgment if we adopted an amendment limiting this vote to the white resident citizens of the District of Columbia the clause relating to the franchise in the bill would be declared unconstitutional, and with that clause eliminated from the bill the whole bill would go down. Therefore I believe that when the members of the Antisaloon League criticized my conduct for offering a bill that was not limited to the white resident citizens of this District they were appealing to race prejudice and not stating honest convictions as to how this bill should be drawn.

It is proposed by Senators here to amend this bill so as to allow females as well as males to vote on this question. That is a question for the Senate to decide. I am not attempting to determine the terms on which citizens of the District should vote. Whether the referendum is amended or not in that respect, I shall vote for it.

It is also proposed to put a property and an educational qualification in the bill. So far as I am personally concerned, I should be very glad to agree to an amendment of that kind, but I do not think it would be effective. It is the law in my own State that no one shall vote except those who can read and write and have paid a poll tax of $1.50. An amendment to that effect would be entirely acceptable to me, but it may not be to the Senate of the United States; and therefore I wish the Senate to determine that question separately instead of involving it in the main proposal.

My desire is to have this question determined by those best qualified and in the interest of the best people of the District; but what effect would such proposed modifications have on this bill and on the electorate in the District of Columbia?

The reports of the Bureau of the Census for 1910, the latest available, show that there are 75,765 white males of voting age—21 and over; 27,621 negroes in the same class; and 375 males of all other nationalities, as Japanese, Chinese, and so forth, making a total male population of 21 years and over of 103,761 in the District of Columbia. No figures for the same ages for illiterates are available, but the same census report shows that the number of illiterate males 10 years old or over for 1910 was: White, 1,311; negro, 4,015; a total of 5,326.

A certain proportion of those illiterates, of course, are under 21 years of age and would not have the right to vote. As to what that proportion would be, I have no means of ascertaining,

but I assume that it would be about one-third. So you can see that if the illiterates 21 years and over are two-thirds of those given by the Census report there would be less than 4,000 illiterates to vote in the District out of a total vote of 103,000, which could not very seriously affect the result of the election.

Now, as to the taxpayers——

Mr. POMERENE. May I ask the Senator for what year those figures are given?

Mr. UNDERWOOD. These figures were taken from the census report for 1910. Of course, they have changed since that time because of the increased population, but the approximate result has not changed materially.

I find from inquiry at the District Building that the number of taxpayers in the District of Columbia is approximately 50,000. The number of negro taxpayers is estimated by the District tax assessor at 5,000. The total number of delinquent taxpayers in the District of Columbia is estimated at 8,000, of which number 240, or 3 per cent, are negroes. It is readily shown why this condition exists. There is no poll tax or street tax in the District of Columbia; merely a property tax. The negro owners of property in the District of Columbia are small owners of the frugal, industrious class of negroes, or they would not own property, and they largely pay their taxes. As the record shows, there are only 240 of them who are delinquent in their taxes.

On the other hand, there are about 7,500 white persons in the District of Columbia who do not pay their taxes. Therefore, in my judgment, were a property qualification added to this bill it would probably exclude more people of intelligence, character, and virtue than it would of ignorance and vice.

Mr. WILLIAMS. Will the Senator from Alabama pardon me for a moment?

Mr. UNDERWOOD. Certainly.

Mr. WILLIAMS. Why does the Senator call this a property qualification? The proposed amendment does not suggest that the voter shall have property. It merely provides that already having property he shall be honest enough to pay his taxes upon it. It fixes no property qualification. It does not in the slightest degree apply to the man who has no property at all, but it provides that those who have taxable property in the District shall pay the tax before they vote. Men who do not own any property will not be affected by it. The only thing that the amendment goes to is the honesty of the man as an elector, that he shall not be a tax dodger.

Mr. UNDERWOOD. The Senator is correct in his statement that it would not operate as a property qualification for voting; it would merely exclude from the electorate certain owners of property who had not paid their taxes. I have no criticism of the proposed amendment. I am merely replying to charges that have been made against me because I did not propose the amendment, and I am attempting to show, and I think the facts do show, that if I had included such an amendment I would not have improved the character or standing of the electorate in the District of Columbia, but would rather have had the opposite effect, because I assume that the white man who owns property in the District of Columbia is an educated citizen, a moral citizen, and an intelligent man, for, as a rule, you find that in any community the property owners fill those qualifications. So far as the negroes are concerned, I think you will find the best part of the negro electorate among those who own property rather than those who do not own property.

I only say this in defense of the position I have taken in drafting this bill. I do not believe that if the proponents of the Sheppard bill had offered a referendum they would have materially changed the provisions that I have proposed for an electorate in the District.

Section 3 provides for the notice of election, the time of calling and the terms under which it shall be called. It is not necessary for me to comment on that section.

Sections 4 and 5 relate to the machinery of the election and to the appointment of managers and clerks.

Section 6 relates to the manner in which the question of the sale or the prohibition of the sale of liquor shall be submitted to the voters of the District of Columbia.

Section 7 relates to the ballot, poll lists, and tally sheets, and to rules and regulations which the District Commissioners may adopt in reference to the holding of the election.

Section 8 relates to the opening of the polls, the poll lists and tally sheets, and the returns of the election.

Section 9 relates to the canvassing and declaration of the result by the commissioners.

Section 10 provides for the putting of the Sheppard bill into effect in the event a majority of the voters of the District declaring in favor of it, and provides that the present law shall remain in effect if a majority of the voters of the District do not favor the Sheppard bill.

Section 11 is the beginning of the Sheppard bill. The only difference between section 11 of the substitute offered by me and section 1 of the Sheppard bill is that the Sheppard bill provides that this law shall go into effect on the 1st day of November, 1917, and section 11 of this bill provides that it shall go into effect 30 days after the declaration of the result by the commissioners, if the result is favorable to the Sheppard bill.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Alabama yield to the Senator from Iowa?

Mr. UNDERWOOD. I do.

Mr. KENYON. I ask for information as to section 10. It provides that the act shall become operative and remain in effect until a subsequent election, held for the purpose, and so forth. Assuming, for instance, that the referendum resulted in the adoption of the act, does the Senator provide in any way for a vote that may be taken at any subsequent time upon petition?

Mr. UNDERWOOD. I do.

Mr. KENYON. Or if the act is adopted when there could be another vote?

Mr. UNDERWOOD. I do; but it is in a subsequent section.

Mr. KENYON. The Senator will reach that later?

Mr. UNDERWOOD. I will.

From section 11 to section 34 you will find the Sheppard bill just as it was agreed to by the Senate up to last Saturday night, and perfected by the Senator from Texas.

Then, section 35 takes up my part of the bill, the referendum part, and it answers the question that has just been asked me by the Senator from Iowa.

Section 35 provides—

> That sections 11 to 34, both inclusive, of this act, when put in operation by a vote of the qualified electors of the District, shall remain in force until the Commissioners of the District shall declare that the majority of the qualified voters of said District have voted in favor of the licensed sale of spirituous, vinous, or malt liquors in said District, when said sections shall cease to be operative unless they are put into force and effect by a subsequent vote of said electors.

In other words, I propose a strictly local-option bill for the District of Columbia with the so-called prohibition features in it covered by the Sheppard bill.

I wish to say in passing that, except as to the qualifications of the electors, the referendum features of the bill were copied from an Alabama statute that was written on the statute books by the prohibition advocates of my State before we had State-wide prohibition in Alabama. I had better read section 36 before going further, which provides:

> That when an election has been held under the provisions of this act, subsequent elections may be petitioned for and held hereunder, but not sooner than three years from the date of the last preceding election.

In other words, if the Sheppard bill is submitted to the people of the District of Columbia under this referendum and the people of the District of Columbia refuse to accept the Sheppard bill at that time and continue the licensed sale of liquor in the District of Columbia, at the end of three years those who desire prohibition in this District will have the opportunity to present another petition to the District Commissioners and have another vote on this question to determine whether they want licensed saloons or whether they want to abolish licensed saloons in the District. On the other hand, if the first vote under this referendum should be in favor of the Sheppard bill and the wiping out of the licensed sale of liquor in the District of Columbia, and the people of the District of Columbia try it for three years and find it is not operative, find that it does not produce good morals, find that it does not improve temperance conditions in the District, as has been the effect of these laws in some places, then the people of the District, who must live under the law, will have a right to file a petition with the District Commissioners and have an opportunity to pass on the question as to whether they want the Sheppard bill to continue as the law.

Section 37 provides for the payment of the expenses of the election, the managers and clerks.

It has been said that there are not sufficient provisions in this bill to provide for a fair election. I want a fair election. There is nothing which can be accomplished for the good of the people of this District or for the freedom of the people of the District of Columbia unless you provide for a fair election, and I think the provision I have incorporated as section 38 of the bill does provide for a fair election. But if gentlemen desire to improve the bill in that respect they will meet with my hearty cooperation.

Section 38 reads as follows:

> That any manager, clerk, returning officer, or registrar, or any voter or other person—

It seems to me that that is as broad as you can state the case—

who is guilty of misconduct, fraud, or corruption—

That covers the entire situation—

in the performance of any duty required of him under the provisions of this act or in the exercise of his right to vote, or in connection with the lawful holding of said election, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than $1,000 or shall be imprisoned in the District jail or workhouse for a period of not more than one year, or both, in the discretion of the court.

It seems to me that any possible fraud or corruption is included within that paragraph of the bill. I know that it is the modern practice in writing legislation to particularize, define and spread your statute all over the face of the law books of the land, but I am one of those who believe that when you say what you mean the courts will so interpret it, and those statutes which in a few words cover the entire field involved are broader in their scope to protect your law and more effective when it comes to the trial court for its enforcement. When I say in this bill, after enumerating the election officers, "any voter or other person who is guilty of misconduct, fraud, or corruption in the performance of any duty required of him under the provisions of this act, or in the exercise of his right to vote, or in connection with the lawful holding of said election, shall be guilty of a misdemeanor," I think I have covered the whole scope of election frauds. If he sells his vote, he is guilty of corruption; if he repeats at the polls, he has committed a fraud in the election, and so on. You can go through the whole gamut of crimes and frauds that may be committed in elections, and you will find them all embraced by this clause. So far as repeating is concerned, the provisions of this amendment require a registration of the voters in precincts by the District Commissioners, which of itself will be a protection against fraud.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from South Dakota?

Mr. UNDERWOOD. I do.

Mr. STERLING. I should like to ask the Senator from Alabama a little question of detail in regard to the elections under this act. It is provided not that the issue shall be an issue between license and prohibition exactly, but that the issue shall be whether the manufacture and sale of liquor shall be licensed in compliance with existing law or whether the sale of spirituous, vinous, or malt liquors within the District of Columbia shall be prohibited under the terms prescribed by this act. The question, to my mind, is, How would the issue really be submitted to be made intelligible to the voters at such an election? In such an event, can you make the issue plain unless you print the act itself on the ballot in order that the voters may determine what are the provisions of the act?

Mr. UNDERWOOD. I do not think you could print the entire act on the ballot and have it intelligently understood. I have no doubt, if submitted, every provision in this act will be printed and distributed in the newspapers and discussed in public speeches. My definition of how it shall be submitted is to state the facts, and that is all you can do. The Sheppard bill is not a prohibition bill, as I think I can demonstrate a little later on. It is a bill to prohibit the licensed sale of liquor in the District of Columbia. That is exactly the way I describe it—nothing more and nothing less. The Senate had before it on Saturday and this morning a prohibition bill which was defeated by an overwhelming vote. The Senator from Texas, representing the Antisaloon League, who are the advocates of this measure, did not vote for it himself.

Mr. SHEPPARD. Mr. President——

Mr. UNDERWOOD. I am not criticizing the Senator for not voting for it.

Mr. SHEPPARD. Let me say to the Senator I am not the representative of the Antisaloon League or any other organization.

Mr. UNDERWOOD. I am not charging the Senator with being so.

Mr. SHEPPARD. However, I have the highest respect for that organization.

Mr. UNDERWOOD. I do not want to misrepresent the Senator, but I will ask him a question: Has not the Senator from Texas advised with and cooperated with the representatives of the Antisaloon League in presenting this measure before the Senate?

Mr. SHEPPARD. I have advised with them and I have advised with Senators on this floor. Differences of opinion developed among leaders of the Antisaloon League just as they developed here.

Mr. UNDERWOOD. I have no desire to make any reflection whatever upon the Senator from Texas, but I desire to say now—if I am not stating it correctly, I hope the Senator from Texas will correct me—the bill he has presented at this desk, which I have incorporated in my referendum, represents the legislation that is desired by the Antisaloon League for the District of Columbia at this time.

Mr. SHEPPARD. I do not think that states the case entirely. I would not be authorized to say that it represented all the legislation they desire.

Mr. UNDERWOOD. I said the legislation that they desire at this time on this subject.

Mr. SHEPPARD. I believe that is a fact.

Mr. UNDERWOOD. That is what I mean.

Mr. SHEPPARD. There are Antisaloon Leaguers who favor the Smoot bill.

Mr. UNDERWOOD. I realize that, but I am talking about the representatives of that organization.

Mr. President, I do not propose to discuss at this time, but will do so a little later, the merits of the proposition. I wish first to answer the statement which has been made that the Congress of the United States has not the power under the Constitution of the United States to submit this question to a vote of the people of the District of Columbia; in other words, as to whether a referendum to the people of the District of Columbia is constitutional or not.

Section 8, Article I, of the Constitution of the United States grants to the Congress of the United States the power:

To exercise exclusive legislation, in all cases whatsoever, over such District (not exceeding 10 miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of Government of the United States.

That is the District of Columbia. The Supreme Court of the United States in defining the extent of this power in the case of the Capitol Traction Co. against Hofman, One hundred and seventy-fourth United States Supreme Court Reports, page 5, says:

The Congress of the United States, being empowered by the Constitution "to exercise exclusive legislation in all cases whatsoever" over the site of the National Government, has the entire control over the District of Columbia for every purpose of government, national or local. It may exercise within the District all legislative powers that the legislatures of the States might exercise within the States.

Under that decision the Congress of the United States has all the powers than can be exercised by the legislature of any State. What limitations are there upon the power of a State legislature? There are two: First, the limitations of the Constitution of the United States; second, the limitations placed on it by the constitution of that particular State. Outside of those limitations there are no powers of legislation that the legislatures of the States can not exercise. Of course, the Congress of the United States is limited in no way by the constitutions of the several States. The only limitation upon the power of Congress to act is the Constitution of the United States itself.

There is no direct limitation in the Constitution of the United States against Congress legislating on a question of this kind. Of course, there are some limitations. There is a limitation on our legislating in reference to suffrage, bounded by the fifteenth amendment to the Constitution of the United States; there is a limitation on our right to legislate with reference to trial, bounded by the provision in the Constitution of the United States which guarantees to the citizens of this country trial by jury; but there is no direct limitation on this question. The only question that can be raised with reference to the power to act is the question as to whether or not we have the power to delegate to the people of the District of Columbia the right to determine this question and to put the legislation into effect.

I do not contend for one minute that the Congress of the United States has the right to delegate its legislative power; but I do contend, and I think the decisions of the Supreme Court of the United States amply sustain the proposition, that the Congress of the United States has the power to create legislation, to make it complete, and then to leave the determination as to when it shall go into effect contingent upon the happening of a certain event. We repeatedly do that in many other classes of legislation, and the Supreme Court of the United States has repeatedly sustained our right to do so.

Mr. WILLIAMS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. UNDERWOOD. I do.

Mr. WILLIAMS. The Senator from Alabama surely has not forgotten the fact, but has only forgotten to mention the well-recognized fact, that for a long time the District of Columbia was governed as a Territory, with an executive officer who was called a governor and a legislative body which was called, I believe, a council, and that the same constitutional authority which we have over the District of Columbia we have over

the Territories; yet from the earliest period of our history we have passed acts to provide for the government of Territories through other bodies than ourselves, retaining to ourselves, of course, a veto power. For years and years this District was governed in almost every particular, not by Congress at all, but by a governor and council, except, as I state, we reserved the power to veto such actions, just as we did in the case of the Territories.

Mr. UNDERWOOD. The Senator from Mississippi is undoubtedly correct about that, and I intended to refer to the question of the delegation of power later on.

Mr. WILLIAMS. If the Senator will pardon me, while I am on my feet—because it is quite interesting historically, if not otherwise; I do not know whether or not his attention has been called to it, but my attention was called to it this morning by the Senator from Indiana——

Mr. BORAH. Mr. President, we on this side wish to hear the colloquy which is going on on the other side of the Chamber.

Mr. WILLIAMS. I was observing that this reference I am about to make is quite interesting historically, if not otherwise, and comes in here very well. My attention this morning was called to the fact that on January 13, 1849—

Mr. Lincoln gave notice of a motion for leave to introduce a bill abolishing slavery in the District of Columbia by consent of the free white people of the District of Columbia, with compensation to owners.

Later on, at the second session of the Thirtieth Congress, January 10, 1849, John Wentworth, of Illinois, same Congress, introduced a bill abolishing slavery in the District of Columbia.

Mr. Lincoln thereupon read an amendment which he intended to offer, if he could obtain the opportunity, as follows:

I shall not go into it or read it all, but it was to leave the question to the white people of the District of Columbia on a referendum, just as is proposed in connection with this whisky legislation. It is true Mr. Lincoln went further in that bill than anybody is proposing to go in this, because he also provided that there should be indemnity to the slave owners, and nobody is offering any indemnity in this referendum proposition to the liquor dealers.

That, however, does not touch the main question. The main question which I wanted the Senator from Alabama [Mr. UNDERWOOD] to emphasize in this connection is, that so great an emancipationist as even Abraham Lincoln did not think that Congress ought to emancipate slaves in the District of Columbia without consulting the people of the District of Columbia, and that he offered in public that amendment.

That is not all, if the Senator from Alabama will pardon me. Later, in the joint discussion which took place in Illinois between Stephen A. Douglas and Abraham Lincoln, Abraham Lincoln said that he would not favor the passage of an act of Congress to abolish slavery within the States—I am not quoting him literally—because Congress had no such constitutional power. Mr. Douglas, who was a very skillful debater, thinking to get Lincoln into a corner, said:

But where Congress has the constitutional power, as in the District of Columbia, would the gentleman vote for a bill abolishing slavery there?

Mr. Lincoln answered, in substance:

I would be glad to see slavery abolished in the District of Columbia, but I think it ought to be done with the consent of the people of the District.

Mr. UNDERWOOD. Mr. President, digressing for a moment from my argument to sustain what the Senator from Mississippi has said, I will observe that before the War between the States the question of the government of this District was a much-mooted question in Congress. There was a city government granted at one time; at another time, a District government, with a legislature and a governor. A number of the Presidents of the United States recommended in their messages to Congress that so far as it was possible to give the people in the District of Columbia representation in their local government it should be done. President William Henry Harrison made a direct recommendation of that kind; President Abraham Lincoln made recommendations of that kind; President Andrew Johnson made a recommendation of that kind. In fact, I have never known it to be contended before the present hour by any man or by any set of men that we did not have the power to give the people of this District the opportunity to pass on questions of their own government or that we could not delegate governmental powers to them.

Mr. VARDAMAN. Mr. President, will the Senator pardon me for an interruption?

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. UNDERWOOD. I do.

Mr. VARDAMAN. I agree with the able Senator from Alabama that Congress has the power to pass this bill; that it is not a violation of the Constitution; but will the Senator give me the reason why the power was taken from the District of Columbia after this District was once vested with the power to legislate for itself? The reasons that moved the people of the District to surrender the right of local government are worthy of consideration now.

Mr. UNDERWOOD. I was not in Congress at that time; in fact, I was only a child of tender years, and I have not investigated the debates on the questions that were under consideration away back in the early seventies, when the right of self-government was taken away from this District. Therefore I am not prepared to answer the Senator's question at this time. I am only discussing the question as to why the people of this District should not further have their freedom taken away from them.

Mr. President, in the exercise of the power of Congress to control legislation in the District of Columbia there have been delegations of that power to the citizens of the District at different times.

By an act of May 3, 1802, Congress incorporated the inhabitants of the District of Columbia, providing for a city council, consisting of two chambers, to be elected annually by the residents of the city. This corporation was given power to tax, to pass all minor regulations for the good government of the city, such as the preventing of the introduction of contagious diseases, building regulations, and so forth.

By the act of 1812, amending the charter of the city, many powers not previously granted were given to the corporation in relation to the improvement of streets, police regulations, and so forth. The power to sell improved property for taxes was also given. This form of self-government in municipal affairs was continued for nearly 51 years, with some slight changes from time to time.

When it was felt that no more territory ought to be held under the exclusive legislation given to Congress over the District, it was decided to recede to the State of Virginia that land which she had ceded for the District. Congress accordingly passed the act of July 9, 1846, making the recession of the Virginia part of the District, with the provision that it should not be in force until the assent of the people of the town and county of Alexandria should be obtained. This being procured, President Polk issued a proclamation on the 7th of September, 1846, that the act was in full force and effect.

Mr. KENYON. Mr. President, what the Senator read, as I gather it, was not a submission to the people of the District of Columbia, but a submission to the people of the town and county of Alexandria.

Mr. UNDERWOOD. It was a submission to a part of the people of the District of Columbia, because at that time the people of the city of Alexandria and of Alexandria County, as it was called, were in the District of Columbia, and Congress, before they put the law into effect receding the territory to the State of Virginia, submitted to the residents of that portion of the District of Columbia directly affected the question as to whether they desired to remain in the District or to go back into the State of Virginia. They were the only people directly affected by the recession, and to them was given the right of passing on it.

Mr. KENYON. The inhabitants of the other portion of the District did not pass on the measure, did they?

Mr. UNDERWOOD. No; they were not directly affected. This shows, however, that the Congress exercised the right of submitting to the people of this District the determination as to whether or not a law passed by the Congress affecting local conditions of government should go into effect.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Idaho?

Mr. UNDERWOOD. I yield.

Mr. BORAH. It seems to me that the authorities sustain the proposition that Congress, for instance, could pass a law, make the law complete, and do all things which Congress could be called upon to do to complete the legislation, and make the operation of the law depend upon a certain fact, which fact was to be ascertained by some condition designated by the Congress and promulgated, such as the instance cited; but can Congress itself stop midway in the act of legislation with an incomplete and unfinished law and delegate to somebody else to say whether or not it should ever become a complete law?

Mr. UNDERWOOD. It is not necessary to go that far in this argument, because this bill does not go that far. This bill does exactly what the Congress did with reference to the recession of the territory on the Virginia side of the Potomac River back to the State of Virginia. The Sheppard bill is a complete piece of legislation, as complete as the Senator from Texas and those desiring its passage can make it.

Mr. BORAH. But, Mr. President, the Senator will not contend that, if his amendment should be adopted, the Sheppard law would be a complete piece of legislation, because it would not be legislation at all, and would not become effective as legislation until some other body passes upon the question of whether or not it shall take effect.

Mr. UNDERWOOD. No; until some other body passes upon the question as to whether it shall go into effect—the time when it shall go into effect. Now, there is no distinction whatever between the effect of the amendment I have offered and the legislation that was passed by Congress and sustained receding Alexandria County, which was then a part of the District of Columbia. What was that legislation? It provided for a recession of certain territory in Virginia back to the State of Virginia. Was it an absolute recession of that territory? No; it was a conditional recession of that territory upon the happening of an event. What event? Upon a majority of the citizens of Alexandria City and the citizens of Alexandria County saying they were in favor of the recession. What is this proposal which I make in my amendment? There is a complete piece of legislation that is proposed to be enacted by the Congress, to wit, the Sheppard bill. The referendum proposes that, on the happening of an event, to wit, an election in the District, in which a majority of the citizens shall declare themselves in favor of the Sheppard bill, within 30 days after that event it shall become effective.

Mr. BORAH. But the Senator will agree with me, will he not, that this never would be a law—a complete act of legislation—until that vote was taken?

Mr. UNDERWOOD. Certainly not, until the happening of the event; and the Senator will agree with me also, I think, that the city of Alexandria and Alexandria County would still be in the District of Columbia if the people over there had voted against the recession. It did not become a complete piece of legislation until that vote was taken.

Mr. BORAH. I have not had the opportunity to examine that, and, of course, if the Senator is correct as to the facts and conclusions, it is a very strong precedent in support of his position, but there is a distinction made in all the authorities, or practically all of them, between what is called an "event" or "the happening of an event," and that of an election which puts into operation or nullifies the entire law.

Mr. UNDERWOOD. I will say to the Senator that I am coming to the authorities in a moment. There are some exceptions; but almost uniformly the courts have held that the legislatures of the several States can submit local-option laws to the people of a State or to counties or to local communities in a State leaving them to determine whether or not the law shall go into effect. There are a few cases on the other side that were passed on in the early days of local-option legislation, when there was a strong sentiment against local option and when the courts were disposed to lean against local option that decided that the legislature could not delegate the power. There are one or two cases of that kind; but where there are one or two such cases decided in the early history of the question of submitting matters of this kind to the people there are forty or fifty cases, modern cases, that sustain the proposition entirely; and I shall be glad to call the Senator's attention to them.

Mr. GALLINGER. Mr. President, does the Senator distinguish between temperance laws and other laws? As an illustration, at the last session of Congress in an appropriation bill we placed a tax upon what is known as intangible property in the District of Columbia. There is a very wide difference of opinion on that question in the District. Would the Senator think that that question could have been well submitted to the people of the District?

Mr. UNDERWOOD. I do think so. I voted with the Senator on that question.

Mr. GALLINGER. Yes.

Mr. UNDERWOOD. I believe that when we attempt to put the strong hand of this great Government about the necks of these people and oppress them it is wrong.

Mr. GALLINGER. I am very glad to have the Senator say that; that is, I am very glad that the Senator broadens his position with reference to submitting this matter to a popular vote.

Mr. UNDERWOOD. I do not mean to contend that so long as the Congress of the United States exercises the power of government in the District of Columbia we should submit every question to a vote of the people, but I do believe that on great fundamental questions as, for instance, whether there shall be a change in their system of taxation or whether there shall be a change in their excise law—great fundamental questions which involve the rights of property and the freedom of the people—these people ought to have a right to say what shall be done in the government they have to live under.

Mr. GALLINGER. If that is to be the policy, we shall have a good many elections in the District of Columbia in the next five years.

Mr. UNDERWOOD. Not necessarily so many. Certain policies can be defined.

Now, Mr. President, as pointed out by the Senator from Mississippi [Mr. WILLIAMS] a few moments ago, I find that in the Thirtieth Congress, when the question of the abolition of slavery was being agitated, Abraham Lincoln suggested to the House of Representatives that the question as affecting the District of Columbia be submitted to the people of the District. A bill was accordingly prepared providing for the gradual emancipation of the slaves, with a proviso that before being enforced the measure should be submitted to the approval of the people of the District. That bill, however, never reached the final stage of action.

By the act of February 21, 1871, Congress again delegated to the legislative assembly of the District, a body to be elected by the people of the District, the power to make all laws generally for the good of the District not inconsistent with the provisions of the Constitution, and to provide for the appropriations for the District government, to be withdrawn from the Treasury, all laws made by them, however, being subject to repeal by Congress.

That was not only done, but it was sustained by the Supreme Court. If we have the power to create a legislative body in the District of Columbia to make laws for the people of the District, have we not the power to submit to the resident citizens of the District of Columbia the question as to what time they desire to put into effect a specific law which we have written? It seems to me there can be no doubt about that conclusion.

The Supreme Court has twice had occasion to pass upon the constitutionality of such acts, and has each time held that Congress was acting within its power. In 1888, in Stoutenburgh *v.* Hennick (129 U. S., 141), the authority of Congress to constitute the District of Columbia a body corporate for municipal purposes was brought before the Supreme Court for adjudication in connection with an act of the legislative assembly created under the act of 1871 relating to taxation. Mr. Chief Justice Fuller, after stating the case, delivered the opinion of the court as follows:

> It is a cardinal principle of our system of Government, that local affairs shall be managed by local authorities, and general affairs by the central authority and hence, while the rule is also fundamental that the power to make laws can not be delegated, the creation of municipalities exercising local self-government has never been held to trench upon that rule. Such legislation is not regarded as a transfer of general legislative power, but rather as the grant of the authority to prescribe local regulations according to immemorial practice, subject, of course, to the interposition of the superior in cases of necessity.
>
> Congress has express power "to exercise exclusive legislation in all cases whatsoever" over the District of Columbia, thus possessing the combined powers of a general and of a State government in all cases where legislation is possible. But as the repository of the legislative power of the United States, Congress in creating the District of Columbia "a body corporate for municipal purposes" could only authorize it to exercise municipal powers, and this is all that Congress attempted to do.

But in the exercise of those municipal powers it gave it the power to exercise them over the very question that we have involved in this act.

In Welch against Cook, Ninety-seventh United States, page 542, the Supreme Court, in passing on the right of the Congress to delegate to the District government the right to exempt certain classes of people from taxation, said:

> It is not open to reasonable doubt that Congress had power to invest and did invest the District government with legislative authority.

If it could invest the District government with legislative authority, has it not the power to invest the people of the District with the power to determine when a piece of legislation shall go into effect?

Whether the submission of the question of prohibition to the citizens of the District is exceeding the power of Congress to delegate legislative functions has never been positively passed upon by the Supreme Court, and it is not necessary for them to pass on it, in line with the decisions I have already read. That Congress may make the time at which a law is to take effect depend upon subsequent events, and not violate the Constitution as delegating legislative powers, is, however, now well settled.

Here is an early decision, and one in point:

In the case of the brig *Aurora* (7 Cranch, 382) the question was as to whether a certain section of the act of March 3, 1799, was in violation of the Constitution, as delegating legislative powers to the head of an executive department of the Govern-

ment. The question involved was whether Congress could make the revival of a law—which had ceased to be in force—depend upon the existence of certain facts to be ascertained by the President and set forth in a proclamation by him. The court said:

> We see no sufficient reason why the legislature should not exercise its discretion in reviving the act of March 1, 1809, either expressly or conditionally, as their judgment should direct. The nineteenth section of that act, declaring that it should continue in force to a certain time and no longer, could not restrict their power of extending its operation without limitation upon the occurence of any subsequent combination of events.

In other words, the Congress left it to the determination of the President of the United States as to whether or not this particular act should be revived. Under the terms of this amendment it is proposed to leave it to the District Commissioners to make proclamation as to whether the Sheppard bill shall go into law upon the happening of the event—to be determined by an election—of the approval of the majority of the people of the District of Columbia.

Mr. SUTHERLAND. Mr. President, I have been very much inclined to agree with one branch of the Senator's argument, that under the provision of the Constitution which vests in Congress the unrestricted power to govern the District this referendum is proper; but I think the authorities which the Senator is citing do not justify the position which he is now taking.

The Supreme Court has held repeatedly that Congress might provide that a piece of legislation enacted by it should go into effect upon the happening of a certain event, the happening of that event to be determined by some agent like the President of the United States. But the difference between that case and this is that the law does not go into operation upon the happening of an event, but it goes into operation according to the will of somebody, and that will is not the will of Congress.

Mr. UNDERWOOD. No——

Mr. SUTHERLAND. Just a moment. The making of a law is an expression of the will, and the body to which that power is committed under the Constitution is Congress. In making a law the law must express the will of Congress. Congress may say that its will shall go into operation upon the happening of some event, when some fact occurs; but here the law goes into effect when the majority of the people have declared it to be their will that it shall go into effect. It seems to me that that is very different from the happening of an event.

Mr. UNDERWOOD. As I state, I think there are decisions on both sides of the constitutional question involved. I think I have shown clearly from the Supreme Court decisions and from the acts of Congress heretofore that we have a right to delegate our legislative power to the District or the District government for certain purposes.

Mr. SUTHERLAND. That is another question.

Mr. UNDERWOOD. Yes; that is a different question. But if the Senator will allow me, I think I can cite him numerous decisions to sustain the proposition that you can submit this question, decisions showing that the event upon which a law should go into effect can be an election—a determination of the will of the people—to be declared by some specific authority, in the present case by the District Commissioners.

Mr. SUTHERLAND. If the Senator will permit me, I have had occasion in times past to examine into this question. My recollection is that the vast majority of the cases decided by the supreme courts of the various States have been to the effect that the legislature of a State, under the provision of the Constitution separating the powers, had no authority to submit a law of this kind to a vote of the people of the whole State; that they might enact the law and then provide that certain localities in the State might adopt it and make it applicable to their particular localities, but that it could not be submitted to a vote of the entire people of the State, because the effect of that was to substitute the will of the people of the whole State for the will of the legislature when the Constitution had vested the power in the latter.

Mr. UNDERWOOD. As I stated a while ago, there are some cases on the other side of this question. They were largely cases that were influenced by a sentiment then existing against local-option or prohibition laws. I am sure that the Senator from Utah does not concur with the reason of those decisions. The reason of the law is the life of the law. The reason of any decision is the life of that decision, and it is not sound in reason to say that it is not a delegation of legislative authority, and therefore constitutional, to pass a local-option law submitting to the people of a political subdivision of a State the right to say whether they shall put such a law into effect or not, and then, on the other hand, to argue that if you submit the question as to whether a whole State shall go dry or not to all the people of that State such an act is unconstitutional, because it is a delegation of the legislative power. It is not sound. You can not draw a distinction between the two. You are going to put into effect in a county a law that affects its people, and you say that that is not a delegation of legislative power, but merely the fixing of an event on which the law shall go into effect, to wit, an election, and yet when you go to put it into effect for a whole State, only enlarging the territory, you say that then you are giving the people the right to exercise a legislative function instead of defining the happening of an event declaring when it shall go into effect.

Mr. SUTHERLAND. I did not care to follow that matter beyond the suggestion I made to the Senator, but I want to suggest to him this view, and see what he thinks of it:

The power Congress has to govern the District of Columbia comes from the clause which the Senator has read. It is impossible to imagine language more comprehensive than that. I suggest to the Senator that that language confers an original power upon Congress to govern the District of Columbia as full and complete as that which exists in the people of a State to govern the State—to frame their own constitution for the government of the State.

Mr. UNDERWOOD. Undoubtedly.

Mr. SUTHERLAND. It is as full and complete, as far as the District of Columbia is concerned, as that exercised by the Parliament of Great Britain. It has no limitations at all upon it.

Mr. UNDERWOOD. The only limitations it has upon it are those fundamental limitations designed to preserve the liberties and the rights of the people.

Mr. SUTHERLAND. Certainly. Those are inhibitions imposed upon the right of Congress to legislate at all upon some given matter.

Mr. UNDERWOOD. Certainly.

Mr. SUTHERLAND. But in that clause there is no separation of the powers. There is no separation of the legislative, executive, and judicial powers; so that originally Congress possesses all of those powers for the purpose of dealing with the District as fully as the people originally, and before they framed their constitution, had in dealing with their States; and Congress may therefore devolve upon anybody it pleases the judicial power which is reposed in it, the executive power which is reposed in it, and the legislative power which is reposed in it. It may devolve it upon any agency it pleases, and if it has the power to devolve this authority upon a local legislature it has, it seems to me, the power to devolve it directly upon the people of the District, or to devolve it upon a commission, or to devolve it upon a single agent, if it pleases to do so, because its power is plenary.

Mr. UNDERWOOD. I do not think there is any doubt about that.

Mr. SUTHERLAND. It seems to me the Senator has sufficiently established his case when he has shown that the entire original power rests in the Congress of the United States to deal with the District of Columbia.

Mr. UNDERWOOD. I agree with the Senator about what he said. I think the case that I read from the Supreme Court of the United States is in absolute accord with that view. But, as the question was in dispute, and as some Members of this body had indicated to me that they had some doubts on the matter, I wished to put in the RECORD a full statement of the power of Congress to deal with the question.

In the case of Field *v.* Clark (143 U. S. Supreme Court Repts., 649) the question arose as to the constitutionality of that section of the McKinley Tariff Act of 1890 which provided for the imposition, in a named contingency—to be determined by the President, and manifested by his proclamation—of duties on certain articles which the act had placed in the free list. The court said:

> He [the President] had no discretion in the premises except in respect to the duration of the suspension so ordered. But that related only to the enforcement of the policy established by Congress. As the suspension was absolutely required when the President ascertained the existence of a particular fact, it can not be said that in ascertaining that fact and in issuing his proclamation, in obedience to the legislative will, he exercised the function of making laws Legislative power was exercised when Congress declared that the suspension should take effect upon a named contingency. What the President was required to do was simply in execution of the act of Congress. It was not the making of law. He was the mere agent of the lawmaking department to ascertain and declare the event upon which its expressed will was to take effect. It was a part of the law itself as it left the hands of Congress that the provisions, full and complete in themselves, * * * should be suspended in a given contingency, and that in case of such suspensions certain duties should be imposed. Again, "The true distinction," as Judge Ranney, speaking for the Supreme Court of Ohio, has well said, "is between the delegation of power to make the law, which necessarily involves a discretion as to what it shall be and conferring authority or discretion as to its execution, to be exercised under and in pursuance of the law. The first can not be done; to the latter no valid objection can be made."

Now, mark you, the Supreme Court of the United States is adopting as part of its opinion this statement by Judge Ranney from the Supreme Court of Ohio, which makes it a part of the opinion of the Supreme Court of the United States; and it clearly draws the distinction between conferring an authority or discretion as to the exercise of legislative authority and determining when a legislative act should take effect.

Now, what is done under this amendment? The legislation in reference to this matter is complete. Every line and word of the Sheppard bill, if passed, is agreed to. It is merely a question of delegating to somebody the power to determine when it shall go into effect.

Mr. BORAH. Mr. President, does the Senator regard this legislation complete in the sense that it is a law, effective, and that Congress has simply chosen some one to execute the law?

Mr. UNDERWOOD. The Supreme Court in this case was speaking of the reciprocity feature of the McKinley Act.

Mr. BORAH. Yes.

Mr. UNDERWOOD. Was that a complete law?

Mr. BORAH. Exactly; it was complete.

Mr. UNDERWOOD. Certainly it was complete; but it did not take effect until the happening of a particular event, to be determined by the President of the United States.

Mr. BORAH. Precisely. Congress passed an act. It was a complete law. It was signed; and the Supreme Court clearly distinguishes there that the President was simply executing a law.

Mr. UNDERWOOD. But he determined when it should be executed, and whether or not it should be executed.

Mr. BORAH. No; the Congress determined when it should be executed by naming a specific fact, and the President was authorized to ascertain that fact; and when he ascertained the fact the law operated or did not operate, dependent upon the ascertainment of the fact.

Mr. UNDERWOOD. Certainly; and that is exactly what is going to be done here if this law is passed.

Mr. BORAH. Oh, no.

Mr. UNDERWOOD. If this law is passed, it will be passed by the two Houses of Congress and signed by the President.

Mr. BORAH. The Senator——

Mr. UNDERWOOD. If the Senator will allow me, it will be put into effect upon the happening of an event, to wit, an election.

Mr. BORAH. Precisely.

Mr. UNDERWOOD. Suppose we wrote into the law that "this law shall be effective if a majority of the people of the District of Columbia are in favor of it." That is practically what we write into it.

Mr. BORAH. Under the decision of the Supreme Court there it would have been void.

Mr. UNDERWOOD. Oh, no.

Mr. BORAH. I think if the Senator will read that opinion again he will see that the Supreme Court stated distinctly that if the President had had anything whatever to do with making effective or ineffective the act of legislation it would have been void.

Mr. UNDERWOOD. The Senator from Idaho has not grasped the decision. Of course, the language of Judge Ranney approved by the Supreme Court, was in relation to a State law, and was not under the broad terms under which we legislate, as suggested by the Senator from Utah; but bringing it down to the question of a referendum, if there was anything further to do in a legislative way in determining the conditions under the law, then Judge Ranney said that it would not be operative. But there is nothing to be done. The people of the District of Columbia, under this submission, will not have an opportunity to change one line, one paragraph, or one word of the Sheppard bill. When they pass on it, the Sheppard bill will be a complete law.

Mr. SUTHERLAND. Mr. President, does the Senator from Alabama think that Congress could have passed the McKinley law and provided that it should go into effect if the President of the United States thought it was a good law, depending upon his will with reference to it?

Mr. UNDERWOOD. Of course when you are considering a question of taxation, and are not dealing with the broad powers that are given to the Congress of the United States to govern this District, as suggested by the Senator from Utah, there might be in my mind some question; but there evidently has not been any question in the mind of the Congress of the United States in this particular case, because they did leave it to the President of the United States to put the reciprocity treaty of the McKinley bill into effect.

Mr. SUTHERLAND. But it did not depend upon the discretion of the President.

Mr. UNDERWOOD. Absolutely.

Mr. SUTHERLAND. No; if the Senator will pardon me, it depended upon the existence of a fact wholly outside of the will of the President, which the President was authorized to ascertain. Now, if the law had provided that it should go into effect if the President determined that it should, and that it should not go into effect if the President determined the contrary, the Senator would not contend that it would be a valid law.

Mr. UNDERWOOD. If the Senator goes that far and says it was not the President that determined the fact, that it was the happening of an event, a fact to be determined by somebody else, then it was the determination by a foreign government of the fact. It is still left to a fact to be determined, discretionary with somebody; and if it was not the President of the United States, then it was a foreign government.

Mr. SUTHERLAND. No.

Mr. UNDERWOOD. Why, certainly it was. What was the event? The reciprocity treaties, under the tariff bill, were to be put into effect by the President of the United States with certain concessions when foreign governments made certain concessions to us. Is not that so?

Mr. SUTHERLAND. Yes; that is so.

Mr. UNDERWOOD. Now then, there was the happening of an event, a discretion; and it was not put into effect until, by treaty, the foreign governments agreed with the President of the United States that they would make certain concessions in regard to their tariff laws if we reduced our customs tariff. So that there was a discretion in somebody—if not in the President of the United States, in the foreign government—that put the law into effect.

Mr. SUTHERLAND. There was a discretion in the foreign government as to whether they would do the thing or whether they would not.

Mr. UNDERWOOD. Certainly.

Mr. SUTHERLAND. But there was no discretion vested in the foreign government to say whether this should be the law or should not be the law.

Mr. UNDERWOOD. Why, certainly not; but the fact remains that the law did not become operative until a certain condition, over which Congress had no control, existed.

Mr. SUTHERLAND. It was not an exercise of their will in regard to the taking effect of the law.

Mr. UNDERWOOD. I never contended that there has been a discretion, and there is no discretion with the people of the District of Columbia as to whether or not they want to change the Sheppard bill. The only question with them is the question as to whether or not they will accept it. There is no legislative discretion in it. There is no judgment that can be passed on it. As the senior Senator from Georgia [Mr. SMITH] suggests, there is no discretion with the people of the District of Columbia as to whether this shall become the law. We pass the law, and the President signs it, and it is a law. The discretion resting with them is as to whether or not they shall make the law operative at a certain time; that is all.

Mr. SHEPPARD. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Texas?

Mr. UNDERWOOD. I do.

Mr. SHEPPARD. If the Senator will allow me to make a suggestion, your amendment makes it discretionary with a small part of the people to say whether or not the law shall be voted on.

Mr. UNDERWOOD. That does not affect its constitutionality, whether we say a small part or a large part. We might leave it to one man, or we might leave it to every man, woman, and child in the District of Columbia, irrespective of age. That would not affect its constitutionality, if it is constitutional, if it is left to the determinaion of any of them.

Mr. SHEPPARD. Your amendment does not order the referendum. It makes the referendum dependent on the will of a certain number of people as to whether or not the bill shall be voted on.

Mr. UNDERWOOD. That might go in an argument as to whether or not that was the proper way to submit it, but certainly the Senator from Texas would not advance that statement as an argument as to the constitutionality of the question. If we can delegate to one man the power to determine when it shall go into effect, we can delegate it to all, or if we can delegate it to all we can delegate it to one.

Mr. SHEPPARD. But this is not as to whether it shall go into effect. It is delegating the power to say whether the bill shall be voted on by the people or not.

Mr. UNDERWOOD. Well, that is the same proposition. That is starting it into effect. There is no distinction whatever.

I have a decision here of Moers against the City of Reading, Twenty-first Pennsylvania State Reports, page 188. The language of the court was:

Half the statutes on our books are in the alternative, depending on the discretion of some person or persons to whom is confided the duty of determining whether the proper occasion exists for executing them. But it can not be said that the exercise of such discretion is the making of the law.

That is the whole proposition here, and, as this judge has said, to have the legislation this Congress passes rest in the discretion of some one as to whether you are going to put it into effect or not.

So in Locke's appeal, Seventy-second Pennsylvania State Reports, page 491, the court said:

To assert that a law is less than a law, because it is made to depend on a future event or act is to rob the legislature of the power to act wisely for the public welfare whenever a law is passed relating to a state of affairs not yet developed or to things future and impossible to fully know.

Again, the proper distinction, the court said, was this:

The legislature can not delegate its power to make a law; but it can make a law to delegate a power to determine some fact or state of things upon which the law makes, or intends to make, its own action depend.

Then again, that the "subsequent event" approved of in the preceding cases includes the popular will has been held in the following cases, the language approved by the courts being:

While the legislature can not delegate its power to enact laws, it may provide that whether or not a law enacted shall be operative may be made to depend on the popular will.

The cases which sustain that proposition you will find in Leger against Rice, Federal Cases, No. 8210; Hobart against Butte County, Seventeenth California, page 23; Robinson against Bidwell, Twenty-second California, page 379.

I have a list of 15 other cases here which I will ask to have printed in the RECORD and not take the time of the Senate to read.

The cases referred to are as follows:

Guild *v.* City of Chicago, 82 Ill., 472.
Lytle *v.* May, 49 Iowa, 224.
Charles *v.* Rogers, 81 Ky., 43.
Wales *v.* Belcher, 20 Mass., 508.
Maggard *v.* Pond, 93 Mo., 606.
State *v.* Noyes, 30 N. H.
Noonan *v.* Hudson Cty., 51 N. J. Law (22 Vroom), 454.
Johnson *v.* Rich, 10 N. Y., 33.
Smith *v.* McCarty, 56 Pa. St., 359.
State *v.* Copeland, 3 R. I., 33.
L. & N. Ry. Co. *v.* Davidson, 33 Tenn. (1 Sneed), 637.
State *v.* Parker, 26 Vt., 357.
Rutter *v.* Sullivan, 25 W. Va., 427.
State *v.* O'Neill, 24 Wis., 149.

Mr. UNDERWOOD. The Supreme Court of Massachusetts, in One hundred and sixtieth Massachusetts, page 591, in response to an order of the Massachusetts House of Representatives for an opinion regarding the constitutionality of submitting the question of suffrage for women to popular vote, make the following statement of the law in Massachusetts regarding local option (dicta):

There has been some conflict of authority upon the constitutionality of what are called local-option laws, which have been principally laws regulating the sale of intoxicating liquors, but they have been held to be constitutional by a majority of the courts which have considered them. They have been held to be constitutional in this Commonwealth. (Commonwealth *v.* Bennett, 108 Mass., 27.) In that case it is said: "It has been argued in other cases which have been brought before the court since the argument of the present case that these statutes are unconstitutional, because they delegate to cities and towns a part of the legislative power. But we can see no ground for such a position. Many successive statutes of the Commonwealth have made the lawfulness of sales of intoxicating liquors to depend upon licenses from the selectmen of towns or commissioners of counties, and such statutes have been held to be constitutional. (7 Dane. Abr., 43, 44; Commonwealth *v.* Blackington, 24 Dick., 352.) It is equally within the power of the legislature to authorize a town by vote of the inhabitants or a city by vote of the city council to determine whether the sale of particular kinds of liquors within its limits shall be permitted or prohibited. This subject, although not embraced within the ordinary power to make by-laws and ordinances, falls within the class of police regulations which may be intrusted by the legislature by express enactment to municipal authority."

Mr. President, I think I have cited authorities of the Supreme Court and other courts of the United States clearly showing, first, that the Congress of the United States has power under the Constitution to delegate certain legislative powers to the District of Columbia; second, that Congress has the power to enact a law to take effect upon the ascertainment and declaration of a certain event; and, third, that the weight of authority and the reason of the decisions are to the effect that the ascertainment of the will of the people is the happening of an event within the meaning of the majority of the decided cases.

The proponents of this measure would not for one moment confront the Supreme Court of the United States with the proposition that a local option law was unconstitutional. It may be that in some States where they have State-wide prohibition they are unwilling to trust the people; it may be that where they think they have the power to act without the consent of the people they are willing to arrogate to themselves that power; but in a large number of the Commonwealths of this country, in Commonwealths to-day that embrace a majority of the people of the United States, the proponents of this bill are fighting for exactly what I am requesting the Congress of the United States to do in reference to the District of Columbia.

Mr. VARDAMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. UNDERWOOD. I do.

Mr. VARDAMAN. I think the Senator from Alabama has established beyond question by the Supreme Court decisions the right of Congress to pass this bill in the way that he has proposed. I never had any doubt of it myself. I have, however, very serious doubts about it being the best for the city of Washington and the people of the United States that this power shall be exercised by the people of Washington. Since the Senator has proven by precedent that his amendment does not violate the Constitution, I wish the Senator, who has given very thorough study and investigation to these questions, would state the reason why the right of self-government was taken from the citizens of Washington. The same incompetent material with which the designing and unscrupulous white men made the government of Washington odious to the American people in the past is present here to-day. I should like to have the Senator answer that objection.

Mr. UNDERWOOD. The Senator does not make himself clear to me or he is asking again the question he asked a few minutes ago, and I stated that I was not informed and had not investigated it.

Mr. VARDAMAN. Does the Senator know that two white men were disfranchised in order to get rid of one negro in the government of this city; that negro rule here had become a stench in the nostrils of the people of the United States, and in order to get rid of it the white people of Washington surrendered the right of self-government, which the Senator is endeavoring to give them by his amendment.

Mr. UNDERWOOD. I will say to the Senator from Mississippi that I cherish the rights, the liberties, and the freedom of my people as he does his people. His people have been threatened with negro domination in the past, and that is what he means. He will not rise in his seat now and say that for the purpose of protecting the people of Mississippi against the negro votes he is willing to surrender the legislative power of the State of Mississippi to the Congress of the United States.

Mr. VARDAMAN. Oh, certainly not.

Mr. UNDERWOOD. Certainly not; but that is what you ask for the District of Columbia.

Mr. VARDAMAN. I will tell the Senator what I am in favor of. Congress never had the power to govern Mississippi. I would not be in favor of submitting a question of this character to the negroes of Mississippi.

Mr. UNDERWOOD. Oh, it has been exercised. The Senator is complaining that it was taken away from them for a particular reason.

Mr. VARDAMAN. I said the people of the District of Columbia voluntarily surrendered it; they asked that it be taken away.

Mr. UNDERWOOD. I do not know whether they did or not; it has been taken away from them.

Mr. VARDAMAN. I want to say to the Senator, in answer to his question, that the Senator would not submit this question to the negroes and the white voters of Alabama if he had the power to do so.

Mr. UNDERWOOD. I would submit it to the electorate of my State. I am no modern local optionist. I have had a conviction on this question ever since I was a boy. I believe in local option. The prohibitionists of my State believed in it because it was the rule of the people, but when they passed by and wanted to rule my people with a power which was not authorized by the local communities I parted company with them. I favored local option when we had no restriction on the suffrage of Alabama, and I have no doubt the Senator from Mississippi did the same—that he stood for a local-option law in Mississippi before the Georgia amendment limiting the suffrage in his State was passed.

Mr. VARDAMAN. Certainly I did, and we won in spite of local option, until they got to a point where local option would not work, and then, like your State, we voted State-wide prohibition. And a great work was accomplished for the people when we did it.

Mr. UNDERWOOD. That is exactly where my friend from Mississippi and I differ. We do not differ on the question of what we have done or what we are willing to do. If there was no limitation on the franchise in the State of Mississippi to-day and the question of temperance by way of local option came up, I believe the Senator from Mississippi would submit it to the electorate of his State.

As far as I am concerned, as I have said, I am glad to get as intelligent and as virtuous an electorate to determine this question as is possible, but I do say that because there may be limitations on the ascertainment of that electorate no man who believes as the Senator from Mississippi believes and I believe has the right to rob the American people of their freedom without the determination of the question by the people of the State.

Mr. VARDAMAN. Why does the Senator insist upon a referendum in this matter only? Is not the question of taxation and are there not other matters of as much importance?

Mr. UNDERWOOD. I am sure that my friend from Mississippi must have been out of the room since I have been making this speech, because that question was brought up some time ago by the Senator from New Hampshire [Mr. GALLINGER]. I stated to him that I concurred with his views, that if we are not going to give these people some form of self-government and the benefit of passing on the great fundamental principles which involve their liberties, their property rights, their happiness, there ought to be some submission of all those questions to them, especially a question involving taxation.

Mr. VARDAMAN. I heard the Senator's reply to the Senator from New Hampshire. But in that reply he did not answer the question of why a matter of such vital importance to the welfare of the citizen as the question of taxation should not be submitted—that nobody thought of submitting it to a vote of the District while one which proposes to cure a condition of manifest detriment to the District should be submitted?

Mr. GALLINGER and Mr. POMERENE addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Alabama yield, and if so to whom?

Mr. UNDERWOOD. Allow me to answer the question. I have been more or less a busy man since I have been in the Congress of the United States. I may have been derelict in my duty to the people of the District, a constituency that I do not directly represent, in not submitting a proposal on certain fundamental questions that were of vast importance to them, but I want to say that in the last decade I have had about all the work that one man could do. I never served on the District Committee and these questions have not come directly within the jurisdiction of my legislative acts, but if I was derelict in that respect in the past, why should I be derelict in the future? Does the Senator from Ohio desire to ask me a question?

Mr. POMERENE. Not to ask the Senator from Alabama a question but to suggest that there is a bill now on the calendar conferring upon the residents of the District the right to elect a Delegate to the House of Representatives, so that the people of the District may at least have a still, small voice, even if they do not have a right to vote on questions relating to the District. I hope when that bill comes up it will have the support of the distinguished Senator from Mississippi.

Mr. VARDAMAN. I wish to answer the Senator. I will not, because I do not think the people of the District of Columbia have any more right to a voice in the government of this Capital than the citizens of one of the States. Washington is the Capital of the Nation—belongs to the Nation—and by the National Legislature should be governed. I deny that the people of Washington are without representation in Congress. Every Senator and Representative in Congress represents the people of Washington, and they are in honor bound to do the people of Washington absolute justice, and to enact wise and just laws for the government of this city.

Mr. POMERENE. If I may be permitted, I sometimes marvel at the mental state of some Senators who are insisting with all the vehemence and ability they can command for every right for the people of their own States, and then try to deny the same rights to 350,000 people in the District of Columbia, just as good people as live in the State of Mississippi or in the State of Ohio. I have been a good deal interested at times to see the emotion which is displayed on the floor of the Senate because some Hawaiians and some Porto Ricans and some Filipinos do not have the right to vote, and we lose sight of the 350,000 free American citizens here in the District.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from New Hampshire?

Mr. UNDERWOOD. I yield.

Mr. GALLINGER. I am not going to discuss the question of having the District of Columbia represented. I am against giving the people here a Delegate without a vote. If they are going to have representation, I want them to have representation in both Houses of Congress with a vote.

But I rose, Mr. President, to state the question I propounded to the Senator from Alabama. I asked him if he differentiated between local-option laws and other laws, and I made the suggestion that if he did not the law we passed last year taxing the people of the District on intangibles might, with equal propriety, have been submitted to the people of the District of Columbia. The Senator said he agreed to that.

Mr. UNDERWOOD. I do.

Mr. GALLINGER. If that law had been submitted to the people of the District, I venture to say that nine hundred and ninety-nine out of every thousand would have rejected it, because they do not want to have additional taxes. If we follow the same principle, we will find that we are passing laws here at every session which would be rejected by the people of the District beyond a question. So I think it is rather a dangerous proposition to say that we should feel constrained to submit those laws to a majority vote of the people of the District of Columbia.

Mr. UNDERWOOD. I do not agree with the Senator about that at all. Of course, as long as the Congress of the United States is paying half the bills of the District, or paying a portion of the bills of the District, the Congress of the United States for the whole people of the United States are entitled to a voice in this matter as to how much taxes shall be raised and how they shall be expended; but on the particular proposition the Senator has referred to the facts show that there was sufficient money being raised at the time the law was enacted to support the District government according to the way we were running it, and they did not need any more taxes. Congress by a law changed the manner of raising that money from a way that I think was satisfactory to the people of the District to a way that was probably unsatisfactory. If all the money was being raised that was needed to run the District government, I think the wishes of the people of the District of Columbia as to how they desired to be taxed should be primary and not the wishes of the Congress of the United States or the people of some other State.

Mr. WORKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from California?

Mr. UNDERWOOD. I do.

Mr. WORKS. The Senator has referred to the limitation on the franchise in Mississippi. I should like to ask if there is any limitation on the franchise in his own State, and if so, what it is?

Mr. UNDERWOOD. I will be glad to tell the Senator. There is a limitation on the franchise in the State of Alabama. It is limited in the first place to males. In the next place a man must be of sound mind. In the next place he must not have been convicted of a crime involving moral turpitude. In the next place he must be 21 years of age. In the next place he must be able to read and write; and in the next place he must pay poll tax of $1.50 a year up to the time he is 45 years of age.

Mr. WORKS. I suppose the Senator believes in the right and justice of that limitation?

Mr. UNDERWOOD. I do.

Mr. WORKS. Suppose the franchise were granted to the people of the District of Columbia, does not the Senator think there should be a similar limitation, considering the conditions that prevail here?

Mr. UNDERWOOD. I have no objection to doing that. The Senator was not here when I discussed that question or I am sure he would not have asked the question.

Mr. WORKS. I am sorry I missed that portion of the Senator's address.

Mr. UNDERWOOD. I discussed that question thoroughly. I pointed out that out of 103,000 male citizens here 21 years of age and over only about 4,000 of them were illiterate, and that of the taxpayers of the District there were about 8,000 who failed to pay their taxes who were white and only two hundred and forty-odd who were colored. I do not see that the adoption of those provisions in the District of Columbia would materially affect the franchise, but if the Senate wants to do so I have no objection in the world to having the provision put in this bill that only those who can read and write shall vote in this election, or that they should pay their taxes before they vote.

Mr. WORKS. Does that condition prevail in a similar proportion in the State of Alabama between the whites and blacks?

Mr. UNDERWOOD. No; I do not think it does.

Mr. SMITH of Georgia. Can the Senator tell us what proportion of the white and what proportion of the colored population pay any taxes at all?

Mr. UNDERWOOD. In this District?

Mr. SMITH of Georgia. Yes.

Mr. UNDERWOOD. No; I can not tell that, because I have not the figures; but I can state, because I got the information from the District office, that among the colored population for year before last, I think, the figures were—there were only 240 who failed to pay their taxes.

Mr. SMITH of Georgia. Yes; but to find any comparison we would have to know the number of taxpayers of each race, also. It may transpire that there are very few of the 30,000 colored people who pay any taxes at all.

Mr. UNDERWOOD. That is probably true.

Mr. SMITH of Georgia. That is why I asked the Senator about the limitation. I say the limitation as to taxes in this District would have very little effect upon the negro population of the District of Columbia.

Mr. WORKS. Can the Senator give us about the proportion of illiteracy in his State as between the white and colored population?

Mr. UNDERWOOD. No; I can not, because I have not the figures.

Mr. THOMPSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Kansas?

Mr. UNDERWOOD. I do.

Mr. THOMPSON. The Senator has said that he is willing to limit the franchise or the eligibility of electors. I should like to know if he is favorable to extending the franchise to the women of the District who have the same eligibility as the men?

Mr. UNDERWOOD. I will answer the Senator's question very candidly. I have not voted for woman suffrage. The people I represent are not for woman suffrage. That being the case, if the amendment is offered here I shall vote against it, but if it is made a part of the bill I shall vote for the referendum. On this particular question I have no serious objection whatever to the women of the District voting, and I do not think it will affect it in one way or another. I really have no serious objection to limiting it to this particular proposition, although I shall probably vote against the amendment when it is offered.

Mr. President, I am glad to be interrupted; I am glad to have an opportunity to fully and freely discuss this question; but I want to come down to the real question that was asked here a while ago as to why we should submit this question to the people of the District of Columbia. It has been answered time and time again by the proponents of this measure. They have appealed to State legislation, they have appealed to constituencies far and wide throughout this Union, for an opportunity to allow the people of the United States or particular localities in the United States to vote on the question as to whether certain territory should be wet or dry, as they express it.

I want to read you a statement from one who is high in authority in the Antisaloon League, who are proposing the Sheppard bill. The following excerpts are from the address of Mr. P. A. Baker, Columbus, Ohio, national superintendent of the Antisaloon League, in reference to county local-option bill 345, made at a meeting held in the senate chamber at Columbus, Ohio, on the 22d day of January, 1908, John C. Drake, chairman of the committee. Before this temperance committee of the Senate of the State of Ohio Mr. Baker, in favoring a local-option bill, one to submit this question to local communities in the State of Ohio, his own home State, said:

> Why this extreme anxiety on the part of these people? If the people of the rural counties in the State of Ohio do not want the saloon, ought they not to have the American right of saying that they do not want it? If the people of Cincinnati and Hamilton County want it, if the people of Cuyahoga County want it, if the people of Lucas County want it, if the people of Franklin County want it, let them have it; but let the people of Delaware and every other county in this State who, by the right of ballot, say they do not want it, let them have their say.

That is the position of the head of the Antisaloon League. I asked the Senator from Texas a few moments ago as to whether this bill which he proposes met with the approval of this organization, whether or not it was not reported here at their request and suggestion, and he concurred in that statement.

Mr. SHEPPARD. No; I did not say that it was reported at their request and suggestion.

Mr. UNDERWOOD. Well, that they concurred in the legislation and agreed to it.

Mr. SHEPPARD. That is very different.

Mr. UNDERWOOD. Now, here is the head of that organization not only declaring in favor of local option, but he said before this committee of the Legislature of Ohio that if the people of Cincinnati did not want prohibition, they should not have it; but that if the people of Delaware County wanted it, you should give them their say and let them have it. What are we asking here but that same proposition?

If this is a high moral issue, it is not an issue of expediency; if it is a high moral issue that Mr. Baker is proposing in Ohio, then it is equally a high moral issue and on the same plane, that he is proposing in Washington. If it is honest and just, according to Mr. Baker's view, to offer this proposition for the decision of the people of the counties of Ohio, it is equally honest and just to propose it for the people of the District of Columbia. But that is not all.

I take the statement I am going to read from a copy of the 1909 Yearbook of the Antisaloon League. This is from the real authority, the book promulgating the principles of the Antisaloon League. What do they say with reference to local option? They say:

> Local option is another word for Americanism. It is essentially an instrument of free government and has been passed upon a thousand times and in a thousand ways as a real part of our governmental system.

That comes with the authority of the Antisaloon League. That was in the Yearbook of 1909. Here is what they state in their Antisaloon League Yearbook for 1908:

> Local option on the liquor question simply provides for the placing of the saloon question in the hands of the voters of any given local community, such as a district, a county, a city, a village, or a township. It is unquestionably true that local option has proven to be the best method thus far of securing the largest possible area where the sale of liquor is prohibited, and the best possible enforcement of the prohibitory law.

That is the statement of the Antisaloon League. I concur in that statement, and I challenge the men who are fighting this proposition to-day to show that the statement is not true. What does it say? It says:

> It is unquestionably true that local option has proven to be the best method thus far for securing the largest possible area where the sale of liquor is prohibited, and the best possible enforcement of prohibitory law.

Why? Because when you have local option, you have the rule of the people; you have free government. When you submit the question of prohibition or of temperance laws to a people and they vote for it, they enforce it; but the history of all such legislation has proven that when you force prohibition down the throats of an unwilling people, it is never enforced; that the "blind tiger," in all its riot, takes the place of the saloon, and that contempt of law is erected by force of arms in place of respect for law.

I have a number of statements from gentlemen high in the councils of the Antisaloon League; aye, in the councils of temperance movements, on this subject sustaining the position I am taking. I will not occupy the time of the Senate in now reading them all, but I shall ask the privilege to insert at least some of them in the RECORD.

The PRESIDENT pro tempore. Without objection, permission to do so is granted.

The matter referred to is as follows:

[William J. Bryan, in an interview in the Baltimore News, May, 1908.]

> "In answer to questions about my record on the subject, I have stated that, so far as my personal habits go, I am a teetotaler, never having used liquor as a beverage; but in 1890 I voted against the State prohibition amendment because I thought the license system we had, with local option, was better suited to the conditions we had to meet in our State."

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The following paragraphs are excerpts from the speech of Wayne B. Wheeler before the Monday evening session of the house committee on liquor traffic and temperance, and the senate committee on temperance at Columbus, Ohio, January 20, 1913:

> "Then, too, we have been for a number of years getting a little more closely to the idea of letting the people rule upon questions that interest them. Take that tendency of the times and ask yourself how much people's rule there is in this proposition, not to let them have one word to say about the kind of a license officer that is to grant the license and administer this policy there in the county where they live. I say to you that there is no home rule in it whatever.
>
> "Suppose for instance some chief executive wanted to use it in this way and appoint officers who would administer it contrary to its real spirit, say, or to the sentiment of the community; suppose that one of these days you would elect a man governor of the State absolutely opposed in principle to the whole liquor traffic who would appoint a board on down through—down into Hamilton County, for instance—and they would appoint the county officers there absolutely opposed to the whole system. I want to say to you, you would have a whole lot of trouble right in Hamilton County. Suppose they would refuse on some ground or other to give you a single license down there, you would say you would bring a mandamus suit; but you could not bring it with probably the showing that they might make against them for having violated the law or something; you would have, at least, a system there which would not be administered according to its spirit. But you let that officer be elected in your county or chosen in accordance with the average sentiment of that county; he is going to be more nearly responsive to the demands of the people and what they think is fair play than the man will who is appointed to it if he is not in sympathy with your system, and that is where the whole thing

is going to hinge in coming years if you put it in the hands of the State board to choose the local officers."

The following are excerpts from the address of Wayne B. Wheeler, now national superintendent of the Antisaloon League, in re House bill No. 73 (Ward local-option bill) in the committee rooms of the house of representatives, Columbus, Ohio, on the 2d of February, 1904, Chairman Briggs, before the temperance committee of the House of Representatives of the Legislature of Ohio:

"In cities like Cleveland, Columbus, and Cincinnati, where a majority of the sentiment of the city is not in favor of voting the saloons out of the whole city, yet there are large portions of the city, the residence districts, where the voters do not want the saloon, and we feel that it is just as fair for them to have the right to say whether or not there should be saloons in their residence wards as it is for the people in the village or in the smaller cities to say whether they want them in their whole municipality. In other words, it is simply home rule on this question. Under present conditions a man can go straight from the penitentiary right out into the residence districts of this city or any other city of Ohio, buy a lot or lease a lot, and start a saloon in the residence district, thus destroying the value of property from 20 to 40 per cent, ruining it for residence purposes, as many people would not want to live there at all with a saloon next to them, and yet the owners of the property around about are absolutely without relief. We feel that that is unfair; that it is un-American in a place where a majority of the people do not want to have the saloon; that they have to put up with it, and over their protest that saloon is established there; and that they have no remedy at law. This gives them relief when they want relief, and I think that every member of this committee realizes that the bill is not forced upon the people and the legislature in advance of public sentiment. If we were asking you to close one saloon of this State arbitrarily, without the voice or the sentiment of the people, it would be a different proposition than that which we present to you to-night. We simply ask for a measure which gives the people protection when they want it. We readily concede that you can not make people good by law. But we do believe it is sane legislation, which gives the people protection from evil when they want that protection."

Mr. UNDERWOOD. I hold in my hand an extract from the address of the Rev. J. S. Rutledge, district superintendent of the Antisaloon League of Cleveland, Ohio, before a committee of the House of Representatives of the General Assembly of Ohio, Charles A. Brannock, chairman, in 1902. This is what the district superintendent of the Ohio Antisaloon League said. I do not question his honesty or his sincerity. I believe that what he said in Ohio he would say here, for the same question is involved before the Congress of the United States in this hour that was involved before the Legislature of Ohio in that hour. Here is what he said:

I am thoroughly democratic—not partisan, however—in my American spirit. I think that this is a Government of the people. I believe it must be by the people and for the people, and that government which does not properly represent the people is not a fair government under our jurisdiction here. I do not need to expand upon that. So that I am in favor of a law that will give the people of the State of Ohio the greatest possible opportunity of local management and local representation.

He was speaking in favor of a local-option law such as I am favoring in the Senate of the United States to-day. Here is a man high in the councils of the organization, who says it is democratic and a high principle of Americanism to give the people a chance to pass on this question.

As I have before stated, I have been in favor of that view when there were but few prohibition counties in the State of Alabama; when there was strong opposition from those who sold liquor to a question of this kind being submitted to the people. I believed in it because I believed it was a right of free government; because I believed it was the right of a free people to have such laws on the statute books as they desired for the protection of their local communities. I even went so far as to vote for the Webb-Kenyon bill, preventing the shipment of liquor into "dry" territory where the people had decided they did not want liquor. I have not changed my views. Those were my views when there was no prohibition in Alabama. Alabama to-day has prohibition by legislative enactment; but I have not changed my views and do not propose to change them, for they are fundamental; they go to the real question that every self-respecting America-loving citizen of this country should recognize, namely, the freedom of action of the people of this country. That is the principle that our forefathers fought for; it is the principle that the people of this country have maintained since the foundation of this Government—the right to have laws on their statute books that met with their approval.

This is not a government of men; this is a government of law. Under that government of law you are entitled to have reflected in the law the will of the American people, the will of the people who are going to be governed by the law, and for whose government particularly the law has been passed; and when you write on the statute books of your country a law for the government of a particular portion of the people that does not reflect their views and their sentiments, you are not governing them by law; you are governing them by the despotic power of man; you are taking away from them the rights and the liberties that their fathers fought for and maintained in the Revolutionary War. You would not do so on any other question; you could not for one minute get your consent to overthrow these great principles of government if it were not that a religious propaganda has gotten behind a political organization for the purpose of the accomplishment of a result which that organization and that propaganda believe to be for the good of humanity.

I do not question their motives; I know the people who are attempting to drive this legislation on the people of the District of Columbia with the power and force and will of the Congress of the United States are acting from a good motive; they are doing it because they believe the law will be a benefit; but tell me, you proponents of this legislation, is there a darker day in all the history of Europe than St. Bartholomew's Day, when at the point of the sword thousands of innocent women, children, and men were murdered for what the men who were committing the murders believed was a good cause and the cause of God? Religious fanaticism, it is true; but the men who did the bloody work believe they were right.

More than that, this idea of driving people to do what somebody else thinks is right, what somebody else thinks is moral, has debauched the world with more crimes than any other despotic action by dominant government. Even in as late a day and as enlightened a time as the era when William Shakespeare wrote his plays men's lives and liberties were endangered, threatened, and destroyed in old England if they refused to accept the Protestant faith, instead of the faith of some other church. For centuries legislation was enacted to force by the dominant power of government control of the spiritual life of men, and it was not until our great Government was established and it was written in the pages of the Constitution of the United States that a man might worship his God according to the dictates of his own conscience, that efforts to control the spiritual life of men by force and by law were abandoned and given up, until to-day in all the civilized countries of the world no man for a moment would proclaim that the spiritual life of other men should be governed by his will or by his dictates, although I have no doubt there are men living within the bounds of the United States who would enact laws of that kind to-day if they had the power and the Constitution did not guard us against them. But although we have abandoned as a relic of barbarism and a relic of the Dark Ages of the past the effort to control by law the spiritual life of men, we are attempting to do the same thing and control their physical life under the claim that their spiritual welfare needs it.

I presume I have been abused as much as any man in America because I reserve the privilege to stand at my desk and advocate exactly the same principle that Mr. Baker, the superintendent of the Antisaloon League, stands for in the State of Ohio, but it concerns me but little whether I am abused or whether I am praised, if my action meets with the approval of my own convictions and my own conscience.

I do not contend that prohibition has not at some time and in some places worked for temperance, has not worked for better government, has not worked for higher ideals and greater morality in the community. It has; but what I do contend is that the whole history of this legislation demonstrates beyond cavil that when you have attempted to put prohibition by the force of law on a community which was not ready for it, or was not then willing to take it, instead of accomplishing temperance you have brought about the opposite; instead of licensing the regulation of the liquor traffic, you have brought about riot in the alleys and in the dark places; you have brought about the unlicensed sale by "blind tigers" in violation of law, as it would not be enforced by the community. I have seen in the State of Alabama, under a law such as it is desired to place on the statute books now, in communities which were not willing or ready to take it, "blind tigers" running as open saloons. You have seen them in many States in the United States. I could name other States from which come some Senators who are voting to put this sumptuary legislation on the people of the District of Columbia, whether they are willing or not, where similar conditions prevail. They know in their own States, where prohibition legislation obtains, that there are wide-open "blind tigers" selling without restriction of law to men, women, and children at all hours of the day and night, Sundays and election day, and every other day. Do you tell me that this is a higher state of morals and better for the community than a restricted sale of liquor, prohibiting its sale to minors, not allowing it to be sold on Sunday, and fixing the hour at night when the saloon must close?

You know as well as I do that it is not better for a community, and you know as well as I do that any law that you pass, and any law that you put on the statute books, in the last analysis must come to the jury box for its enforcement. It

may be asked, "Will the jury violate its oath; will a jury go against the testimony and acquit a man who has been proven to be guilty?" I do not say a jury should by right or by honesty of purpose do so, but I do say that juries do that, have done it, and will continue to do it when you write laws on the statute books against the approval of the people you seek to govern. You know that when, in old England it was a crime punished by death for a man to steal a chicken, juries refused to convict, and I think that juries in your State and in my State would refuse to convict and hang a man for stealing a chicken to-day.

To enforce this law the Senator from Texas is not going to the extreme of hanging; but, believing that severe pains and penalties must be put on the people of the District of Columbia to enforce the law, he has written in the proposed statute penalties that are entirely contrary to the ordinary penalties that Congress writes to enforce law. Is it more immoral for a man to sell a drink of whisky or to steal? For stealing the law provides that the punishment shall not be over a certain fine—I do not remember the amount, but say a thousand dollars—or confinement not over so many months in jail—I do not remember the term, but say a year—or both, in the discretion of the court, leaving it to the court to determine the gravamen of the offense. Not so when you come to force a law on what you believe is an unwilling people. You must inflict them with severe pains and penalties. Under the terms of this law, if you put it on the statute books, some boy in this District, probably of good family, good raising, good people, with life ahead of him, may in a wild moment, a thoughtless moment, sell half of a bottle of liquor to some companion without intending to run a "blind tiger," without intending to traffic in the business, without intending to violate the law. I know of cases of this kind in my own State—merely having the liquor in possession and selling half of it to a companion in a thoughtless moment, not realizing what the law is. The court convicts him. There is no discretion in the judge as between him and the man who is trying to make money out of the liquor traffic—none whatever. Under the law that you are putting on the statute books you put a fine of $300 against that child and send him to the county workhouse for not less than 30 days to associate with robbers and thieves and highwaymen, and to come out of there with "felon" branded on his forehead and imbedded in his soul, because you think you need extreme penalties to make an unwilling people obey your law.

Mr. President, it concerns me not, so far as I am personally concerned, whether you sell liquor in the District of Columbia or whether you do not. The Senate has recognized that the drinking of liquor is not a moral question. If it were a moral question you would prohibit it entirely. You prohibit theft; you prohibit arson, rape, and murder. You do not compromise with it. You prohibit it, because it is a moral question. But this morning you had an opportunity to prohibit absolutely the manufacture, sale, and possession of liquor in the District of Columbia, and almost by a unanimous vote you rejected the amendment of the Senator from Utah [Mr. SMOOT] embodying that proposition.

What does the Senator from Texas propose? Not prohibition; no. He is proposing an antisaloon bill; in part, an antimanufacturing bill. I do not question his wisdom in doing this. He knows, and those behind him know, that the District of Columbit is not prepared for prohibition legislation now, no matter what it may be in the future; that if you should attempt to put prohibition legislation on the people of the District now, it would mean merely a riot and a fight against the law. The only thing that the Senator from Texas is asking you to do is to legislate a method, not a principle. He says in his bill that any citizen of the District of Columbia can send outside of the District and purchase as much liquor and alcohol for his own consumption in his own home as he desires. He is prohibited from selling it, but he can use it in his own home. Of course, if it were a crime to drink liquor the Senator from Texas would not compromise with crime. The Senator from Texas and those behind him are not compromising with crime. They are determining a method—that is all that is involved in this bill—as to whether you can bring about a more temperate condition by a licensed sale or by prohibiting the sale inside the District entirely and allowing it to be sold to the citizens of the District from the outside. That is all that is involved in this bill, except that it wipes out the manufacture of alcohol in the District and confiscates certain property here without paying for it.

So I say that the issue presented in this bill is not a moral one; it is a question of expediency. Now, who is best able to determine that question—you, representing constituencies away from here, or the people of the District of Columbia, who must live under the law?

Now, no matter what may be charged against me, I am not making any effort in this matter except the effort that the leaders of this same Antisaloon League made for years in my own State and are making in the State of Ohio and the State of Pennsylvania and the State of New York and the State of Maryland and the State of New Jersey and numbers of other States in the Union, and proclaiming it to be the righteous and the proper thing to do—that is, that the people of these States may have an opportunity to march toward temperance and not be driven toward temperance.

Mr. WARREN. Mr. President, will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Wyoming?

Mr. UNDERWOOD. I do.

Mr. WARREN. In line with what the Senator has just said, I understand that the Antisaloon League in my State is asking that the legislature about to assemble shall provide for referring it to the people and letting them first pass upon the matter; and I am advised the members of the legislature will consider that proposition.

I realize, as every thinking and reading man in public and private life must realize, that the question involved in the pending bill is in the forefront for settlement by the American people, either by legislation enacted by the various legislative bodies representing the States or the Nation, or by direct mandate of the people through expression at the polls.

A glance at recent legislation and at the result of recent elections makes it evident that the country desires to move in the direction of the settlement of the so-called prohibition question. In fact, prohibition exists in the State of Wyoming now in all parts except in the incorporated cities and towns, but our people believe that State-wide prohibition should be submitted to the voters, and more particularly so because for twenty-odd years they were restricted in their voting privileges, and they feel sympathy for the residents of the District of Columbia. They believe, as I do, that the District of Columbia ought to be represented in this body, and in the other body, with a Member each; that by all means this particular matter ought to go before the people of this District.

The rights of the residents of the District are to be passed upon by legislators, not one of whom has been selected by these residents to represent them in regard to the question at issue or any other. The proposed legislation would affect their mode of living, their social life, and whatever may be done as to other matters, this matter should go before the people and be voted on before the Congress should undertake to control them absolutely and completely in regard to it.

Mr. NORRIS. Mr. President, will the Senator from Alabama permit me to ask the Senator from Wyoming a question?

Mr. UNDERWOOD. I yield.

Mr. NORRIS. I should like to ask the Senator from Wyoming if in that contest in Wyoming the liquor men are working very hard to have the question submitted to the people of Wyoming for a vote? Are they doing the same there as they are here?

Mr. WARREN. I do not know what they are doing here, but I want to say to the Senator that if there is any work of that kind in Wyoming I do not know of it.

Mr. NORRIS. Then, I suppose the liquor men and the temperance men are united, and there will be no contest in Wyoming.

Mr. WARREN. I do not know about that.

Mr. UNDERWOOD. Mr. President, I think the question that my friend from Nebraska has just asked the Senator from Wyoming is very much the key to the position that is taken by many in the determination of this question, and that is a personal issue dependent on the personal equation of who is for or who is against a measure and not on fundamental truths as to whether the measure is right or wrong. I do not doubt for a moment that without influence, without a lobby behind it, without pressure and threat of political disaster for men who vote against it, this bill would have no chance whatever of passing the Congress of the United States unless the people of the District of Columbia were first given the opportunity to vote on it; and it makes not much difference to me where the personal equation comes from, I stood for local option in Alabama when many of the men who sold liquor, in fact most of them, were against it and were dominant in the State. I stand for local option to-day in my State and stand for it in other States in the Union, and I stand for it for the District of Columbia, regardless of who stands on either side of the question.

Does it make it any more moral for a man to vote for local option in Ohio, where he finds Mr. Baker, the superintendent of the Antisaloon League, favoring local option, and the man

who sells liquor against it, than it does to vote for it in the District of Columbia, where he may find Mr. Baker against local option because he thinks he has the power to govern this people without their consent? Now, that is all there is to it.

I think it is a very small equation for any man to attempt to decide great moral questions of right or wrong by the determination of who stands on one side of it or who stands on the other side. Mr. President, the determination of a great moral question in that way is the determination of a coward, not of a patriot.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Nebraska?

Mr. UNDERWOOD. I do.

Mr. NORRIS. I should like to say that I agree with the Senator in the statement he has just made, but I would not go as far as he does in characterizing those who vote that way as the Senator has characterized them.

Mr. UNDERWOOD. I have not made any personal criticisms.

Mr. NORRIS. The characterization does not apply to me, of course.

Mr. UNDERWOOD. Certainly not.

Mr. NORRIS. But, for instance, just the other day one of the Senators who thought he was going to be away when this matter was voted on announced in the Senate that he was going to vote in favor of the referendum, the Senator's proposition on this liquor question, because he felt obligated to do so by the action of his own State. He did not express himself one way or the other, but his vote in this body was determined by what he conceived to be an instruction from his State.

Mr. UNDERWOOD. A very courageous and a very manly statement; and yet on that same day I heard another Senator make the statement here that he understood how a Senator could hesitate to vote on a particular question because he knew that in that Senator's State there was an organization standing for it, and it was very dangerous for any Senator to stand against an organized body, because they punished him for what he did, while those who agreed with him and were unorganized would not follow it up.

Mr. BRANDEGEE. Mr. President, if the Senator will yield——

Mr. UNDERWOOD. I yield.

Mr. BRANDEGEE. I did not get the idea of the remarks referred to that the Senator from Nebraska did. I understood the Senator from Ohio [Mr. HARDING], when he stated why he should vote for a referendum on this question, to state that it was because he had told his people during the campaign where he stood and how he would stand on that question if he came here into the Senate, and not because his people had voted a certain way at all.

Mr. NORRIS. Mr. President, if the Senator will pardon me——

Mr. UNDERWOOD. Certainly.

Mr. NORRIS. I think the Senator from Connecticut states it practically correctly. I do not believe there is much contention in that, although the Senator from Ohio did say, as I understood, that the platform on which he stood there was to the effect that these questions should be submitted to the people, and that it was decided in that election; the prohibitionists were defeated when it was submitted to the people, and that he believed, therefore, in submitting this question to the people of the District. I agree with the Senator from Alabama in the statement that a man should follow his convictions on the question, although I am not criticizing the man who takes the other view, and I think the Senator from Alabama goes almost too far in characterizing those who do.

Mr. UNDERWOOD. I do not criticize the man who takes the other view from that I take from the standpoint of principle. No; I admire him for taking his position. I am not unduly criticizing the man who yields to pressure on a great public question; but I say that position is not to be admired.

Mr. President, I have occupied a great deal more of the time of the Senate in discussing this question than I intended to occupy. I do not know that what I have said will have any effect on a vote in this body. I merely want, in conclusion, to point out and ask the Members of the Senate to consider that the bill I have offered is not against temperance. It is along the road of temperance legislation that has been advocated by the chief advocates of temperance for many years. It is to give the opportunity for the people to walk to it in the light of day and not be driven by oppression in the nighttime. That is all that I advocate, Mr. President. It is an opportunity for expression on the part of a people who have been deprived of their right of representation in a government, deprived of any voice, who are being controlled by the Government of the United States as despotically as a Czar of Russia controlled the people of that country before the establishment of the Duma, their parliamentary body—people without representation, people without a voice, people whose property will be confiscated, and people who may be given a very much worse condition of public morals if this law goes on the statute books and is unenforced than they will have under present legislation. It must be remembered that the enforcement of the law will not rest in the hands of the judge and the marshal, but will rest in the jury box, in the hands of a jury drawn from these same people. I say, give them the opportunity now and in the future to go along this road if they think it right. Appeal, if you will, to their conscience, their intelligence, their brains, but at least give them the right of self-government. Give them the freedom which the great fundamental law of this land, the Constitution of the United States, guarantees to the balance of us.

Mr. WILLIAMS. Mr. President, a great deal of nonsense has been uttered in the history of the world on both sides of the question of yielding individual conviction to the conviction of others. As a rule the man who talks about his own individual opinions being perfectly sacred and incapable of being yielded to anybody in the world is just a selfish egotist. It depends upon what pressure a free citizen in a free government yields to as to whether he is right or whether he is wrong. If he yields a private opinion concerning a question of expediency and feasibility to the opinion of the school to which he belongs, to the opinion of his State, or to the opinion of his people or his nation, he frequently shows both wisdom and modesty. If he stands out, forming a party by himself, and talks about the "sacredness of his convictions"—generally, by the way, the egotist calls them "convictions" and the gentleman calls them "opinions"—then, if his course were generally followed, he would introduce into society a condition of anarchism that would do away with all government.

This is a representative Government and not a misrepresentative Government, and there is no attack to be made in any valid way upon the man who yields an individual opinion to the opinion of his State. You are not members of a parliament; you are Members of a Congress. The very meaning of the word "congress" is a convening, a coming together of the delegates of States. When we started we started with the idea that this was in one branch of the National Legislature a government of States, and in the other branch a government of the people.

There are just two lines of demarcation between the right of representation and the right of individual conviction. When a man reaches either one of those he must assert his individuality. No man has a right to surrender an opinion founded, in his opinion, upon fundamental morality in order to be representative of a community or a people; and no American representative has the right to surrender an opinion founded upon his construction of the Constitution in order that he may be representative. In the first event he is untrue to God, and in the second event he is untrue to the only thing that an American citizen swears to maintain, which is the Constitution and not the Government. In that particular we differ from every other people that ever established a government or swore allegiance. Nor has he the right to accept the opinion of a court rather than his own opinion in carrying out his sworn observance of the Constitution.

Does this bill present a question of morality or a question of constitutionality, either? Everybody knows it presents neither. I started my political life in opposition to prohibition, in opposition to any sort of attempt upon the part of government to fetter a man's private life. There is no morality involved in it, no question of constitutional power; and I stand here and dare say that I consider myself instructed by the State of Mississippi, my sovereign and my master in all questions involving neither absolute immorality nor unconstitutionality, to vote for prohibitory legislation. I am going to take that back. It is not prohibitory at all. None of you are prohibitionists. None of you ever had the courage to be. You stand here and talk of prohibition as if it were a moral question, and you make it geographical morality by saying that if a man sells me a drink in the State of Mississippi, or, if this bill passes, in the District of Columbia, he is a felon, but if he sends it to me from Boston or St. Louis, equally a seller, he is not. That is geographical morality, if it is any sort of morality at all. And, then, you stand for quantitative morality. A man may sell me a quart a month, but he can not sell me any more. In the first case he is a law-abiding citizen, and in the second a criminal. That is quantitative morality with a vengeance. And so you go through with the whole thing. Sometimes it is a which-side-of-the-bar morality. Is there any difference between the man who stands on that side of the bar and sells me a drink, so far as that individual act is concerned, and me, who stands upon the other side

of the bar buying the drink? And yet there is no one of you who dares make it a crime to buy a drink. Why? Why, you would affect Supreme Court Judges, august Senators, Members of this august body, Cabinet members, some generals, and a few admirals. You would interfere with gentlemen in their private pleasures, instead of merely interfering with tradesmen in their pursuit of business.

I get a little tired of it, as far as I am concerned. I have seen it go on year by year, come up to a certain point, and then the next year go a little bit further, until after a while you never knew where it was going to stop; and I am ready now to vote for the whole thing. I am ready to vote for an amendment to this bill to put a fine of not less than $300 and imprisonment of not less than six months upon any man who buys or sells a drink in the District of Columbia. I want to see the thing brought to an issue, because until it is brought to an issue you will never find out how many people are going to rebel against it in a free Government.

The Senator from Utah [Mr. SMOOT] tells me, sotto voce, that I ought to have voted for his amendment. I replied in the same way that I would have voted for it if I had been here.

Mr. President, in a matter affecting the daily life and habits of living of the people in their very homes there can, in my opinion, be no question at all of the political wisdom and the morality and the constitutional right of submitting a law involving these things to the people themselves thus affected. Mississippi is a prohibition State. I consider myself as a representative instructed by her will in a matter which should overbalance my will. But Mississippi never said to me that I should deprive the people of the District of Columbia of the power and the right to sit in judgment themselves upon this question, in judgment upon which the people of Mississippi sat for themselves. Mississippi would have resented a claim upon the part of a Texan or Californian or a man from Utah or a man from New Hampshire to tell her whether she should or should not be governed by certain laws with regard to this particular subject matter. It is not one of the subjects matter delegated by the people in the Federal Constitution to the Federal Government. A great deal of the argument that has taken place here has just lost sight of why this particular power over the District of Columbia was placed in the Constitution amongst the powers of Congress:

To exercise exclusive legislation in all cases whatsoever over such District (not exceeding 10 miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States—

And so forth.

Those words "exclusive legislation" were not put in there with any reference to whether Congress must exercise a given power itself or whether the people of this District should by some governmental provision which Congress should pass exercise it. It was put there because Virginia and Maryland were about to cede to the Federal Government 10 miles square for a seat of government, or because some States might do it, and the exclusive jurisdiction was placed in Congress in order to put an end to all possible questions of the jurisdiction of the State making the cession, so that after Virginia should cede, or after Maryland should cede, which means merely to part with and dispose of, the cession should be total and complete, and the power of the Federal Government over the territory thus ceded should be exclusive of those or any other States.

The word "exclusive" was put in to indicate that it should be exclusive of the State; and lawyers rise here all day long and chop words and split hairs and lose all recollection of the history and therefore of the reason for the constitutional provision.

This exclusive legislation was to vest the government of this District in the Federal Government and divest it entirely from the ceding States. That was the only reason for the use of the word "exclusive." It did not mean that certain things of a governmental character should be exclusively done by Congress. Very early in the history of the country when men were still living who sat in the Constitutional Convention this idea was unheard of. This District of Columbia was governed for years just like the Territory of Arizona was governed, or the Territory of Mississippi, by a man vested with executive power called a governor and by a sort of council vested with legislative power; and the question neither arose nor could arise to men who knew why the District had been erected.

Now, why was it that they wanted a particular district that a State should have no authority over it, legislative, judicial, or executive? Because we in America first started this idea of a dual sovereignty, dealing upon the same citizens but with regard to different subjects matter, and it was necessary that in the Capital of the Federal Government there should be no conflict of jurisdiction between these two sovereignties, and therefore the jurisdiction of the Federal sovereignty was made exclusive.

All day we have heard arguments about "delegating legislative authority." I agree with the Senator from Alabama [Mr. UNDERWOOD] that under certain conditions there may be what looks like a delegation of legislative authority by a State legislature. It is not a real delegation of the authority, but it provides that certain things shall become law provided the people within a certain district say so. All the people have to do is to say yes or no. They do not enact the law. The Senator is perfectly right about that. But it was not necessary to go that far with regard to this District.

This District can be governed in any way that Congress says. There is no doubt about the fact that Congress could pass the Sheppard bill right now without any referendum to the people of the District. There is also no doubt about the fact that we can pass it right now with a referendum to the people of the District. It is not a question of constitutional power at all. It is a question of popular right. Because you have the power are you going to exercise it without consulting the people who are chiefly interested in their habits and homes in the exercise itself, or are you not?

Now, then, I think the next most important thing after providing that these people shall be consulted in a manner which comes right home to them, just as, in my opinion, I think they ought to be consulted about their schools and about a dozen other things which come right home to them, is to find the proper electorate. My quarrel is not with the bill itself, except that I do not think the bill is sufficiently drastic. I think while you are making the issue you ought to pass a prohibition bill and say so, and face it. It will be as much a personal and individual inconvenience to me as to almost any of you, but I am willing to stand up and be honest and square and make a crime of buying intoxicants. The sin or crime is neither in the buying or the selling per se; it is in the effect of the thing bought and sold after its consumption. Put a judge of the Supreme Court, put a member of the Cabinet, put a Senator in jail for it! Make it a felony, so as to evade that clause of the Constitution which says you can not arrest a Member of Congress while he is here "except for a felony or a breach of the peace," or make it a breach of the peace. Be square about it. Bring it home to you and me, and be brave about it!

My only objection to the Sheppard bill is that it does not go far enough. It is not a real prohibition bill.

Mr. MARTINE of New Jersey. I wish to inquire if the Senator from Mississippi was here, and if so, why he did not vote for the substitute presented by the Senator from Utah [Mr. SMOOT].

Mr. WILLIAMS. I just explained to the Senator from Utah that I was not here. I got out of bed and came up here via one of the departments with the hope of being able to vote for it.

I want a proper electorate. This substitute bill reads:

That all male resident citizens of the District of Columbia who are over the age of 21 years, of sound mind, and have not been convicted of an offense involving moral turpitude, and who have been residents of the District of Columbia and the voting precinct in which they reside for more than one year prior to the date of the holding of said election—

Shall become the electorate. I want to give notice of the following amendment, which I will ask the Senate to vote upon at the proper time. I ask the Secretary to take it down.

In line 8, page 2, strike out the word "male," and after the word "election" in line 14 on page 2 insert these words:

And who can read and write and who have paid all taxes and assessments due from them and unpaid by them to the Federal Government and the government of the District of Columbia.

They shall constitute the qualified voters. My object in that is this: In the first place, without giving any allegiance to female suffrage, for I have none to give, there are certain questions that women ought to have a vote upon everywhere, and they are the questions that peculiarly affect the home. The regulation of public schools is one of them; the sale of liquor is another; questions which involve the policing of their towns, questions of sanitation which go to the home life. However long extended or shortly abbreviated the list of such questions might be, this is one of them, and women ought always to have a vote upon the question whether or how whisky or other liquors should be sold in their district. Striking out the word "male" will accomplish that purpose. Inserting the language that I have read after the word "election" will accomplish several purposes. First, it will give us at the seat of the National Government, as an example for all the States, an educational qualification, to wit, that a man must at least be intelligent enough to read and write before he can vote. It may be said that it is a man's misfortune if he can not read and write, but if a man is over 21 years of age and has lived in this country

for three years the fact that he can not read and write argues stupidity and not misfortune. It argues either a lack of ambition to go forward in the world or it argues a lack of intelligence to learn the very simplest thing. You deprive him of nothing by the qualification. You merely say to him, "If you want to vote, go and learn how to read and write. You can do it if you are a man of average intelligence in six months. You can do it if you are a man of more than average intelligence in half as long a time. But at any rate we fix as a qualification of suffrage something which you can obtain and which will be an advantage to you when you do attain it. We deprive you of nothing. We add to your character and your usefulness something of more worth to you than it is to the public itself."

The next language is:

And who have paid all taxes and assessments due from them and unpaid by them to the Federal Government and the government of the District of Columbia.

That does not require men to have property in order to be voters; it merely requires those having property to be honest, and to be honest with the government under which they live. It merely disqualifies a tax dodger, the most dishonest of all men. It is not the man who simply swindles another individual, but who swindles the very government which protects him. So I should like to see that added to the bill.

Mr. President, a great deal of what I have said was rather irrelevant to the subject matter, but I do hope sure enough, and I am seriously speaking to my friend from Texas and to others for whose intelligence and character I have very high regard—I do hope that the very utmost point which gentlemen want to go to in this legislation will be at some particular moment frankly avowed and confessed, so that society can line up on one side of it or the other. I do hope that this little thing of taking 10 bites at one cherry will stop, because it is a great deal more nagging than it is to eat up the whole cherry at once and be done with it. It is a great deal less trouble to humanity generally, and it is a good deal less trouble to a man, to be soundly whipped than it is to be nibbled at for a week at a time. So I hope at some time you may put in the shape of a bill that which is your ultimate goal, the point beyond which you do not intend to go, and then let us get through with it one way or the other—getting through to a final result of fixed policy is a good thing.

I tell you it is dangerous not to do that. You remember the history of the immorality that came about as a result of the overthrow of the puritanical power in Great Britain. First from one little thing to another the Puritans went, interfering with what men rightfully or wrongfully thought were their rights—wrongfully generally, just as in this case—until they got men into a state of revolt, not against a particular wrong thing that was being done but against every legislative attempt to make them do right, and everything called by the name of religion or morals went by the board for a while. It took a long time afterwards to get things gathered together in a common-sense way.

Now, do not begin with this and come back here next year and go a little bit further, and come back the next Congress and go to the Smoot bill, and then come back five years from now and go to the Williams amendment, making it an absolute crime to buy a drink. Do it all at one time. If you are not going to do it on this bill do it in the next Congress, anyhow, and let the people to be affected see how far you are going, so that they may make up their minds whether they want to go with you or part company with you.

I am not joking about this. It sounds like a piece of irony. It is not. It is reason; it is founded on the soundest morality. You can nag men into a condition where they will oppose the best thing you can think of. Take this very case. No man of common sense in the world regards it as of the slightest importance to his moral character or intellectual development that he should be able to buy a drink. He may want it. He may resent your interference as some one interfering with his opinion, but if he has any sense at all he knows that it never did him a bit of good to buy it or drink it and that doing without it can not do him a bit of harm. Come right out and tell him so right at the jump and be done with it and argue it out with him; sooner or later you might convince him. But if you approach him in a Jesuistic way, a little bit this year and a little bit more next year, and a little bit more the next, nibbling as you go, after a while he not only can not be convinced that he is not being deprived of a very valuable personal liberty, but he can not be convinced that you are honest and sincere. He gets in a frame of mind where he thinks you are doing it for political purposes; that you are doing it to be popular; that you are doing it to serve yourself at home and make yourself strong, whereas if you stood right square out in the beginning for the whole proposition you would be in the long run stronger.

I should like to see the white race subjected to the experiment for 10 years of absolutely doing without alcohol at all for any purpose or from any source except poisoned alcohol in the arts, which no man would want to drink.

You tell me sometimes that it is good for medicine. It is not. I had a man come to me once and say, "I never take a drink except medicinally; I take it as medicine." "Oh, well," I said, "I have got no patience with you. It is a very enlivening beverage, but it is the poorest medicine in the world. I have tried it for nearly everything that it was prescribed for, and it never did me any good for anything."

I should like to see this experiment tried with the white race. The Arabs tried it; the Turks tried it. It did not make either of them any greater than we are, better morally, smarter intellectually, or stronger physically; but I am inclined to believe that that was because we were a stronger and smarter and more moral race anyhow, and that this thing had nothing to do with it; and that if they had not tried it as a part of the Mohammedan religion, prescribed for them in the Koran, the difference between them and us morally and mentally and physically would have been even greater than it is now.

I know that alcohol, like many other things, while harmful to the individual, may be very useful to the race in the way of cutting out the physically unfit, and leaving the race to be bred up by the physically fit, or the mentally fit, or the nervously fit; but I am not one of those who believe that the law of the survival of the physically fit and the extinction of the physically unfit, is a law which God meant for humanity; it is a law that He meant for the other animals, where physique alone was the important consideration.

I should really like to see the experiment tried, and I should like to be alive at the beginning of it and alive at the end of it, to see what effect it would have upon this great white race of ours, which stands in the fore files of time, carrying first in the hands of one of its subbranches and then in the hands of another the torch of civilization and enlightenment and virility and courage to the uttermost parts of the world, with an eye to scrutinize the inscrutable, to question the Omnipotent, standing as the chief representatives of God Himself and God's purposes on earth, as we believe.

The sooner you bring it to an actual experiment and trial the better for everybody. I have made up my mind to cross the Rubicon. I did it some time ago. I never expect to be again a candidate for the Senate in Mississippi. I may live to the point where I will have good enough sense not to want any office. I do not know that my past career shows that I am capable of that degree of intellectual growth, but perhaps I may be. However, it can not count with me politically; none of it can help or hurt me. Mississippi does not care an iota what I do with regard to this bill; Mississippi would care some, I think, if I put over on an unwilling people, without even consulting them, something which I wanted, but which they did not want.

I am prepared to believe that if you will let the women vote and properly restrict the electorate that this District will vote for prohibition, or, rather, will vote for this bill, which is the first step forward in the line of prohibition.

I think another thing about this sort of legislation—and while I am about it I am going to get it all off my mind—I think that Abraham Lincoln was right when he said we ought not only to consult the District of Columbia about their willingness to abolish slavery, but that we ought to indemnify the slaveholders for the property loss. And I think our English cousins are right. When they make laws of this sort they calculate the loss of property to the man affected by them and pay him a reasonable price for it. That is honest, too. Why, I knew the State of Mississippi once to do this, Senators, just to show you how far this sort of legislation can go: Long years ago she passed a law to provide for a lottery, and a man paid $50,000 into the State treasury to have the privilege of that lottery. Then the next legislature that met abolished the lottery law, and Mississippi kept his $50,000.

I knew Mississippi to do this once: To pass a pint liquor law, and after five men in my own town had paid their annual license for one year in advance, to repeal that law without returning the license money and indict each one of those five men for selling under it. They got out because they plead that they did not know the legislature had repealed the law, and the judge was easy upon them; but they had paid their licenses for a property privilege a year in advance, and the minimum one of them had gotten of enjoyment of the license was, I believe, two weeks out of it, and the maximum about two months. That sort of thing is not honest, I do not care how highly moral it is—geographically moral, quantitatively moral, this-side-or-that-side-of-the-bar moral—it is not plain, old-fashioned English honesty. If

you have given a fellow a thing of value for a price and you take the thing of value away from him, you ought to give him back the price, no matter how contemptible you think the calling may be which you by your law invited him to pursue and for which he paid you a price.

I thank the Senate for its attention, and I will call up the amendment on another occasion. I do not desire to call it up this evening, because it is late; but I will call it up when we reach the proper place. I desire to make a parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WILLIAMS. When will the amendment I have offered to the second section of the substitute be in order? Is the substitute to be read by paragraphs for amendment?

The PRESIDENT pro tempore. The substitute, as the Chair understands, has been read and the amendments will come up under Rule XVIII, as the Chair understands. There is now an original bill and a motion to strike out and insert, and the amendments to the original bill are first in order.

Mr. WILLIAMS. I thought amendments to perfect the substitute would be first in order.

Mr. UNDERWOOD. I understand that the amendments to the original bill have already been passed upon and that the bill has been perfected.

The PRESIDENT pro tempore. The Chair is not aware of that fact. If that is the case, then amendments to the substitute are in order.

Mr. UNDERWOOD. I think amendments to the substitute would be in order.

Mr. GALLINGER. And yet other amendments to the original bill can be offered and will have precedence over amendments to the substitute.

The PRESIDENT pro tempore. The Chair is of that opinion.

Mr. WILLIAMS. If that is the opinion, I will offer the amendment.

STOCK-RAISING HOMESTEADS (S. DOC. NO. 641).

Mr. SMITH of Arizona submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 5, and 6.

That the House recede from its disagreement to the amendments of the Senate numbered 7, 8, and 10, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Page 3, line 12, after the word "areas," insert the following: "of the character herein described"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: Strike out all of section 9 of the bill; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows:

Page 9, line 22, after the word "lands" add the following: "*Provided further*, That such driveways shall not be of greater number or width than shall be clearly necessary for the purpose proposed and in no event shall be more than 1 mile in width for a driveway less than 20 miles in length, not more than 2 miles in width for driveways over 20 and not more than 35 miles in length and not over 5 miles in width for driveways over 35 miles in length: *Provided further*, That all stock so transported over such driveways shall be moved an average of not less than 3 miles per day for sheep and goats and an average of not less than 6 miles per day for cattle and horses."

And the Senate agree to the same.

On page 2, line 22, after the word "appeal" add the following: "but no right to occupy such lands shall be acquired by reason of said application until said lands have been designated as stock-raising lands."

M. A. SMITH,
C. S. THOMAS,
REED SMOOT,
Managers on the part of the Senate.
SCOTT FERRIS,
EDWARD T. TAYLOR,
IRVINE L. LENROOT,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. SUTHERLAND. Mr. President, I should like to have the report go over and be printed. It was impossible to understand from hearing it read just what changes are contemplated. I hope the Senator from Arizona will not insist upon going on with it now.

Mr. SMITH of Arizona. I simply ask that the conference report be printed and go over.

The PRESIDENT pro tempore. The report will lie on the table and be printed.

STATUE OF JAMES BUCHANAN.

Mr. WILLIAMS, from the Committee on the Library, to which was referred the joint resolution (H. J. Res. 145) authorizing the erection on the public ground in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States, reported it without amendment and submitted a report (No. 881) thereon.

Mr. LEE of Maryland. I ask that Senate joint resolution No. 93, being Order of Business 152, which is a joint resolution of the same title and character, be taken from the calendar and postponed indefinitely and that the joint resolution just reported by the Senator from Mississippi [Mr. WILLIAMS] be substituted therefor.

The PRESIDENT pro tempore. Without objection, that action will be taken.

REPORT OF THE PHILIPPINE COMMISSION (H. DOC. NO. 1774).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on the Philippines and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the report of the Philippine Commission for the fiscal year ended December 31, 1915, together with the reports of the Governor General and the secretaries of the four executive departments of the Philippine government, and the second annual report of the governor of the Department of Mindanao and Sulu for the same period.

WOODROW WILSON.

THE WHITE HOUSE, *December 18, 1916.*

REPORT OF GOVERNOR OF PORTO RICO (H. DOC. NO. 1773).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the report of the Governor of Porto Rico for the fiscal year ended June 30, 1916, together with the reports of the heads of the several executive departments of the Porto Rican government for the same period.

WOODROW WILSON.

THE WHITE HOUSE, *December 18, 1916.*

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 324. Joint resolution authorizing the payment of the salaries of the officers and employees of Congress for December, 1916, was read twice by its title and referred to the Committee on Appropriations.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 19, 1916, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 18, 1916.

APPOINTMENTS IN THE ARMY.

QUARTERMASTER CORPS.

Brig. Gen. Henry G. Sharpe, Quartermaster Corps, to be Quartermaster General with the rank of major general for the period of four years, beginning September 16, 1916, vice Maj. Gen. James B. Aleshire, retired from active service September 12, 1916.

Col. Abiel L. Smith, Quartermaster Corps, to be brigadier general in the Quartermaster Corps for the period of four

years, beginning September 21, 1916, vice Brig. Gen. Henry G. Sharpe, appointed Quartermaster General.

Col. Thomas Cruse, Quartermaster Corps, to be brigadier general in the Quartermaster Corps for the period of four years, beginning December 9, 1916, with rank from that date, vice Brig. Gen. Carroll A. Devol, retired from active service October 31, 1916.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

To be judge advocates with the rank of major from September 16, 1916.

Capt. Irvin L. Hunt, Nineteenth Infantry, to fill an original vacancy.

Capt. Dennis P. Quinlan, Cavalry, unassigned, to fill an original vacancy.

Capt. Arthur W. Brown, Infantry, unassigned, to fill an original vacancy.

Capt. Kyle Rucker, Fourteenth Cavalry, vice Maj. Walter A. Bethel, promoted.

CHAPLAIN.

Rev. Charles O. Purdy, of Missouri, to be chaplain with the rank of first lieutenant from December 4, 1916, to fill an original vacancy.

MEDICAL RESERVE CORPS.

To be first lieutenants, with rank from the date set opposite each name.

Homer Samuel Warren, of Illinois, September 6, 1916.

Franklin Townsend Bower, of Pennsylvania, September 16, 1916.

Edgar Erskine Hume, of the District of Columbia, September 16, 1916.

Joseph de Roulhac Moreno, of the District of Columbia, September 16, 1916.

Willis Power Baker, of New York, N. Y., September 16, 1916.

Louis Frank Boyd, of New York, N. Y., September 16, 1916.

Asa Bartholow Carmichael, of Washington, September 16, 1916.

Sewell Munson Corbett, of Virginia, September 16, 1916.

John Francis Corby, of Pennsylvania, September 16, 1916.

Louis Anatole La Garde, jr., of the District of Columbia, September 16, 1916.

Harrison John McGhee, of Pennsylvania, September 16, 1916.

Samuel Reily Norris, of California, September 16, 1916.

Robert Eunice Parrish, of Pennsylvania, September 16, 1916.

Herbert De Witt Porterfield, of Iowa, September 16, 1916.

Penrose Herr Shelley, of Pennsylvania, September 16, 1916.

James Stevens Simmons, of Pennsylvania, September 16, 1916.

Shannon Laurie Van Valzah, of Oregon, September 16, 1916.

Luther Thomas Buchanan, jr., of North Carolina, September 27, 1916.

Joseph Madison Greer, of Arizona, September 27, 1916.

Henry Louis Krafft, of Illinois, September 27, 1916.

Louis John Regan, of New York, September 27, 1916.

James Francis Roohan, of New York, September 27, 1916.

Cyrus Boynton Wood, of Kentucky, September 27, 1916.

Dean Flewellyn Winn, of Georgia, September 29, 1916.

Albert Walton Kenner, of the District of Columbia, October 4, 1916.

George Patrick Gill, of Illinois, October 9, 1916.

Herbert Clarence Neblett, of Virginia, October 26, 1916.

Frank La Mont Cole, of Idaho, November 20, 1916.

Bernard Johan Beuker, of Michigan, late first lieutenant in the Medical Reserve Corps, December 5, 1916.

Henry Brooks, of Texas, December 5, 1916.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

CAVALRY ARM.

To be captains.

Capt. Edmund S. Sayer, Eleventh Infantry, with rank from March 11, 1911.

Capt. Frank B. Kobes, Thirty-fifth Infantry, with rank from July 1, 1916.

Capt. Walton Goodwin, jr., Thirty-third Infantry, with rank from July 1, 1916.

Capt. George C. Lawrason, Tenth Infantry, with rank from July 1, 1916.

Capt. Robert C. Richardson, jr., Infantry, detached officers' list, with rank from July 1, 1916.

To be first lieutenants in the Cavalry Arm, with rank from July 1, 1916.

First Lieut. William H. Simpson, Sixth Infantry.

First Lieut. Leon M. Logan, Sixth Infantry.

First Lieut. Sheldon H. Wheeler, Infantry (Signal Corps).

First Lieut. Arthur A. White, Thirty-sixth Infantry.

First Lieut. Thomas G. Peyton, Twelfth Infantry.

First Lieut. Junius H. Houghton, Nineteenth Infantry.

First Lieut. Douglas J. Page, Twenty-sixth Infantry.

First Lieut. James N. Caperton, Twentieth Infantry.

First Lieut. Charles C. Smith, Twenty-third Infantry.

First Lieut. Harrison Herman, Twenty-eighth Infantry.

First Lieut. John F. Goodman, Fourth Infantry.

First Lieut. William W. Dempsey, Thirtieth Infantry.

First Lieut. Robert R. D. McCullough, Thirty-sixth Infantry.

First Lieut. Elon A. Abernethy, Thirty-seventh Infantry.

FIELD ARTILLERY ARM.

To be majors, with rank from July 1, 1916.

Maj. Lucius R. Holbrook, Cavalry (Quartermaster Corps).

Maj. Andrew Moses, Coast Artillery Corps (General Staff Corps).

Maj. Harrison Hall, Coast Artillery Corps.

To be captains.

Capt. George V. H. Moseley, Cavalry, detached officers' list, with rank from September 22, 1905.

Capt. Charles M. Bundel, Infantry, detached officers' list, with rank from October 26, 1906.

Capt. Charles D. Herron, Tenth Infantry, with rank from November 2, 1906.

Capt. Robert C. Foy, Cavalry, detached officers' list, with rank from January 25, 1907.

Capt. James P. Robinson, Coast Artillery Corps, with rank from January 25, 1907.

Capt. Howard L. Landers, Coast Artillery Corps, with rank from January 25, 1907.

Capt. Edward M. Shinkle, Coast Artillery Corps (major, Ordnance Department), with rank from March 11, 1911.

Capt. John R. Kelly, Tenth Infantry, with rank from November 11, 1914.

Capt. Harry B. Jordan, Cavalry (major, Ordnance Department), with rank from June 12, 1916.

Capt. Adam S. Casad, Coast Artillery Corps (major, Ordnance Department), with rank from June 12, 1916.

Capt. Jacob A. Mack, Coast Artillery Corps, with rank from July 1, 1916.

Capt. Otto L. Brunzell, Twentieth Infantry, with rank from July 1, 1916.

Capt. Pierre V. Kieffer, Coast Artillery Corps, with rank from July 1, 1916.

Capt. Maxwell Murray, Coast Artillery Corps, detached officers' list, with rank from July 1, 1916.

To be first lieutenants.

First Lieut. Thurman H. Bane, Sixth Cavalry, with rank from September 23, 1913.

First Lieut. John T. Kennedy, Cavalry, detached officers' list, with rank from December 8, 1914.

First Lieut. Thomas J. Johnson, Twenty-seventh Infantry, with rank from December 8, 1914.

First Lieut. Edwin M. Watson, Infantry, detached officers' list, with rank from September 10, 1915.

First Lieut. Joseph A. Rogers, Infantry, detached officers' list, with rank from January 22, 1916.

First Lieut. Charles T. Griffith, Infantry, detached officers' list, with rank from February 21, 1916.

First Lieut. Philip Hayes, Infantry, detached officers' list, with rank from July 1, 1916.

First Lieut. Franz A. Doniat, Infantry (captain, Ordnance Department), with rank from July 1, 1916.

First Lieut. Carl A. Baehr, Infantry, detached officers' list, with rank from July 1, 1916.

First Lieut. John M. McDowell, Eighth Infantry, with rank from July 1, 1916.

First Lieut. Raymond E. Lee, Coast Artillery Corps, detached officers' list, with rank from July 1, 1916.

First Lieut. Jason McV. Austin, Coast Artillery Corps, with rank from July 1, 1916.

First Lieut. William A. Pendleton, jr., Coast Artillery Corps, with rank from July 1, 1916.

First Lieut. Whitmon R. Conolly, Infantry, detached officers list, with rank from July 1, 1916.

First Lieut. Gustav H. Franke, Coast Artillery Corps, detached officers' list, with rank from July 1, 1916.

First Lieut. Hubert G. Stanton, Coast Artillery Corps (Ordnance Department), with rank from July 1, 1916.

First Lieut. William E. Larned, Infantry, detached officers' list, with rank from July 1, 1916.

First Lieut. Charles L. Byrne, Fifth Infantry, with rank from July 1, 1916.

First Lieut. John P. Lucas, Cavalry, detached officers' list, with rank from July 1, 1916.

First Lieut. Roscoe C. Batson, Tenth Infantry, with rank from July 1, 1916.

First Lieut. Alvan C. Sandeford, Infantry, detached officers' list, with rank from July 1, 1916.

First Lieut. Ira T. Wyche, Infantry, detached officers' list, with rank from July 1, 1916.

First Lieut. Lewis H. Brereton, Coast Artillery Corps, with rank from July 1, 1916.

First Lieut. Edward A. Millar, jr., Fifth Cavalry, with rank from July 1, 1916.

First Lieut. Clyde J. McConkey, Cavalry, unassigned, with rank from July 1, 1916.

First Lieut. Albert M. Jones, Fourteenth Infantry, with rank from July 1, 1916.

First Lieut. Robert S. Oberly, Coast Artillery Corps (Ordnance Department), with rank from July 1, 1916.

First Lieut. Leon R. Cole, Coast Artillery Corps, with rank from July 1, 1916.

First Lieut. Paul L. Ferron, Coast Artillery Corps, detached officers' list, with rank from July 1, 1916.

First Lieut. George E. Arnemann, Twenty-eighth Infantry, with rank from July 1, 1916.

First Lieut. Clarence D. Lang, Sixteenth Cavalry, with rank from July 1, 1916.

First Lieut. Isaac Spalding, Cavalry, detached officers' list, with rank from July 1, 1916.

First Lieut. Harry J. Malony, Infantry, unassigned, with rank from July 1, 1916.

First Lieut. Robert F. Hyatt, Cavalry, detached officers' list, with rank from July 1, 1916.

First Lieut. Archibald V. Arnold, Twenty-sixth Infantry, with rank from July 1, 1916.

First Lieut. Earl B. Hochwalt, Coast Artillery Corps, detached officers' list, with rank from July 1, 1916.

First Lieut. Francis T. Armstrong, Coast Artillery Corps, with rank from July 1, 1916.

First Lieut. Hamilton Templeton, Twenty-eighth Infantry, with rank from July 1, 1916.

First Lieut. William R. Gruber, Infantry, detached officers' list, with rank from July 1, 1916.

First Lieut. William A. Copthorne, Coast Artillery Corps, detached officers' list, with rank from July 1, 1916.

First Lieut. Eugene T. Spencer, Cavalry, detached officers' list, with rank from July 1, 1916.

First Lieut. Falkner Heard, Cavalry, detached officers' list, with rank from July 1, 1916.

COAST ARTILLERY CORPS.

To be major.

Maj. John B. Christian, Seventeenth Cavalry, with rank from July 1, 1916.

To be captains.

Capt. Sebring C. Megill, Thirteenth Cavalry, with rank from July 3, 1916.

Capt. Henry H. Pfeil, Ninth Field Artillery, with rank from July 1, 1916.

Capt. Walter W. Merrill, Seventh Field Artillery, with rank from July 1, 1916.

Capt. Frank Moorman, Infantry, detached officers' list, with rank from July 1, 1916.

INFANTRY ARM.

To be first lieutenants with rank from July 1, 1916.

First Lieut. Theodore R. Murphy, Coast Artillery Corps.

First Lieut. Philip Coldwell, Cavalry, unassigned.

COAST ARTILLERY CORPS.

Second Lieut. Joseph J. Teter, Coast Artillery Corps, to be first lieutenant from July 1, 1916, vice First Lieut. Edgar H. Thompson, promoted.

NOTE.—The above-named officer was nominated to the Senate for said promotion on July 11, 1916, under the name Joseph J. Teeter, and his nomination was confirmed on July 14, 1916. This is submitted for the purpose of correcting an error in the name of the nominee.

QUARTERMASTER CORPS.

Second Lieut. John Q. A. Brett, paymaster's clerk, Quartermaster Corps, to be first lieutenant in the Quartermaster Corps, with rank from August 29, 1916.

CAVALRY ARM.

Maj. George P. White, Seventh Cavalry, to be lieutenant colonel from September 13, 1916, vice Lieut. Col. Robert L. Howze, Cavalry, unassigned, detailed in the General Staff Corps.

Maj. Louis C. Scherer, Cavalry, detailed in the Quartermaster Corps, to be lieutenant colonel from September 21, 1916, vice Lieut. Col. Ralph Harrison, Cavalry, detailed in the Adjutant General's Department.

Maj. Robert J. Fleming, Tenth Cavalry, to be lieutenant colonel from September 21, 1916, vice Lieut. Col. Louis C. Scherer, Cavalry, detailed in the Quartermaster Corps.

Capt. Pierce A. Murphy, First Cavalry, to be major from September 6, 1916, vice Maj. James G. Harbord, Cavalry, transferred to the detached officers' list.

Capt. Frederick T. Arnold, Cavalry, unassigned, to be major from September 13, 1916, vice Maj. George P. White, Seventh Cavalry, promoted.

INFANTRY ARM.

First Lieut. Harry W. Gregg, Nineteenth Infantry, to be captain from June 18, 1916, vice Capt. James M. Love, jr., Twelfth Infantry, detached from his proper command.

NOTE.—The above-named officer was nominated to the Senate on July 10, 1916, and his nomination was confirmed on July 14, 1916, for promotion with rank from July 1, 1916, to fill an original vacancy.

This is submitted for the purpose of correcting an error in the date of rank of the nominee, as the result of the dismissal of First Lieut. John S. McCleary, unassigned, who was nominated to the Senate on July 3, 1916, and whose nomination was confirmed on July 10, 1916, for promotion to the grade of captain but dismissed without promotion.

Second Lieut. Herbert J. Lawes, Fourth Infantry, to be first lieutenant from July 1, 1916, to fill an original vacancy.

NOTE.—The above-named officer was nominated to the Senate on July 10, 1916, for said promotion, under the name of Albert J. Lawes, and his nomination was confirmed on July 14, 1916.

This is submitted for the purpose of correcting an error in the name of the nominee.

PORTO RICO REGIMENT OF INFANTRY.

First Lieut. Felix Emmanuelli, Porto Rico Regiment of Infantry, to be captain from July 20, 1916, vice Capt. Miles K. Taulbee, appointed major.

First Lieut. Louis S. Emmanuelli, Porto Rico Regiment of Infantry, to be captain from July 21, 1916, vice Capt. Orval P. Townshend, appointed lieutenant colonel.

NOTE.—The above-named officers were nominated to the Senate for promotion on September 7, 1916, and their nominations were confirmed on September 7, 1916. This is submitted for the purpose of correcting an error in the date of rank of each of the nominees.

PROVISIONAL APPOINTMENTS IN PORTO RICO REGIMENT OF INFANTRY.

To be second lieutenants, with rank from date of appointment:

Manuel Benigno Navas, of Porto Rico, vice Second Lieut. Urbino Nadal, promoted September 6, 1915.

Enrique Manuel Benitez, of Porto Rico, to fill an original vacancy.

Vicente Nicolas Diaz, of Porto Rico, to fill an original vacancy.

Andres Lopez, of Porto Rico, to fill an original vacancy.

Ramon Salvador Torres, of Porto Rico, to fill an original vacancy.

Modesto Enrique Rodriguez, of Porto Rico, to fill an original vacancy.

Ernesto Francisco Colon, of Porto Rico, vice Second Lieut. Adolfo J. de Hostos, promoted June 3, 1916.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. John H. Blackburn to be a lieutenant commander in the Navy from the 10th day of August, 1916.

The following-named lieutenants to be lieutenant commanders in the Navy from the 29th day of August, 1916:

Earl P. Finney,
William D. Puleston,
Charles W. Densmore,
David Lyons,
Owen Hill,
Joseph F. Daniels,
Walter E. Whitehead,
Gaston DeP. Johnstone,
Frank Rorschach,
Kirby B. Crittenden,
Stephen C. Rowan,
Walter S. Anderson,
Henry D. Cooke,

Samuel M. Robinson,
Leo Sahm,
William W. Smyth,
Ralston S. Holmes,
Ernest Friedrick,
Fred H. Poteet,
William J. Giles,
Ralph A. Koch,
Lamar R. Leahy,
Milton S. Davis,
Charles C. Moses,
Sam C. Loomis,
Charles A. Blakely,
Macgillivray Milne,
Wilbur R. Van Auken,
Harold R. Stark,
John S. Arwine, jr.,
Austin S. Kibbee,
Martin K. Metcalf,
Lindsay H. Lacy,
John S. Abbott,
Thomas H. Taylor,
Frank H. Sadler,
Charles E. Smith,
Frederick V. McNair, jr.,
Charles Belknap, jr.,
Daniel T. Ghent,
John Grady,
David McD. LeBreton,
Nathaniel H. Wright,
Husband E. Kimmel,
Robert A. Dawes,
Paul E. Dampman,
Clyde S. McDowell,
Charles C. Soule, jr.,
Lawrence P. Treadwell,
William H. Toaz,
Halsey Powell,
Forde A. Todd,
Chester L. Hand,
Aubrey K. Shoup,
Abram Claude,
Nathan W. Post,
Harry A. Stuart,
William F. Halsey, jr.,
Roscoe F. Dillen,
James W. Hayward,
Bradford Barnette,
David W. Bagley,
Walter A. Smead,
Arthur C. Kail,
Clarence E. Wood, and
Max M. Frucht.

Lieut. (Junior Grade) Jacob L. Hydrick to be a lieutenant in the Navy from the 1st day of July, 1916.

Lieut. (Junior Grade) Louis F. Thibault to be a lieutenant in the Navy from the 13th day of August, 1916.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 29th day of August, 1916:

Baxter H. Bruce,
George H. Laird,
John B. Earle,
Harold V. McKittrick,
Charles T. Blackburn,
George T. Swasey, jr.,
Ellis Lando,
Ralph B. Horner,
Thomas A. Symington,
Harlow T. Kays,
Robert C. Giffen,
Richard E. Cassidy,
Clarence N. Hinkamp,
Ralph C. Parker,
Leslie E. Bratton,
Ezra G. Allen,
Emanuel A. Lofquist,
Elmer W. Tod,
Reuben R. Smith,
Samuel L. Henderson,
Homer H. Norton,
Alfred H. Miles,
Harold H. Ritter,
James Parker, jr.,
Charles F. Pousland,
George N. Barker,
Louis J. Gulliver,
Newton L. Nichols,
Francis A. L. Vossler,
Cortlandt C. Baughman,
Richard B. Coffman,
Jonas H. Ingram,
Louis C. Scheibla,
Schuyler F. Heim,
Patrick N. L. Bellinger,
Newton H. White, jr.,
Seymour E. Holliday,
Forney M. Knox,
Samuel A. Clement,
Richmond K. Turner,
Alexander M. Charlton,
John W. Rankin,
Henry F. D. Davis,
Kirkwood H. Donavin,
Oscar Smith, jr.,
Herbert A. Jones,
Henry T. Markland,
William R. Smith, jr.,
William W. Turner,
Joseph J. Broshek,
Frank J. Wille,
Haller Belt,
Eugene E. Wilson,
Abel T. Bidwell,
Rensselaer W. Clark,
Walter K. Kilpatrick,
Elwin F. Cutts,
Edward J. Foy,
Harry B. Hird,
Nelson W. Pickering,
Harry A. Badt,
Clyde G. West,
George H. Emmerson,
Norman R. Van der Veer,
David C. Patterson, jr.,
Francis W. Rockwell,
Sydney M. Kraus,
Charles G. Ross,
Howard H. Crosby,
William C. Owen,
Francis T. Chew,
Francis Cogswell,
James McC. Irish,
John B. Staley,
Arthur S. Carpender,
Robert A. Burg,
William D. Brereton, jr.,
Harrison E. Knauss,
Clarence C. Thomas,
William R. Munroe,
Schamyl Cochran,
Albert M. Penn,
Robert O. Baush,
Paul H. Bastedo,
John C. Hilliard,
Philip Seymour,
Frank R. Berg,
Andrew D. Denney,
Charles M. Yates,
Stuart O. Greig,
James C. Van de Carr,
John C. Cunningham,
Jabez S. Lowell,
John F. Shafroth, jr.,
Ernest W. McKee,
Dallas C. Laizure,
Jules James,
John F. McClain,
John R. Beardall,
Rufus King,
Timothy J. Keleher,
Howard B. Mecleary,
Maurice R. Pierce,
William W. Wilson,
Victor D. Herbster,
David F. Ducey,
Donald T. Hunter,
Edmund W. Strother,
William H. Pashley,

Fred T. Berry,
William R. Purnell,
Frederic T. Van Auken,
Marshall Collins,
Kinchen L. Hill,
Kenneth Heron,
Thomas C. Kinkaid,
Lee P. Warren,
Charles M. James,
Selah M. LaBounty,
Harry G. Donald,
John L. Schaffer,
Leland Jordan, jr.,
Edward G. Blakeslee,
John H. Everson,
Worrall R. Carter,
Robert R. M. Emmet,
John C. Jennings,
Henry B. Le Bourgeois,
Paul J. Peyton,
William A. Hodgman,
Cleveland McCauley,
Robert E. Rogers,
Leslie C. Davis,
Harry H. Forgus,
Franklin P. Conger,
Raymond G. Thomas,
Aquilla G. Dibrell,
Henry D. McGuire,
Edward H. Connor, and
William B. Cothran.

Lieut. (Junior Grade) William T. Smith to be a lieutenant in the Navy from the 13th day of June, 1916.

Ensign Theodore H. Winters to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1914.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 7th day of June, 1916:

Herman E. Keisker,
Glenn B. Davis,
Stewart F. Bryant,
Robin B. Doughtry,
Walter Seibert,
Richard H. Knight,
George L. Greene, jr.,
Thomas Shine,
George D. Hull,
James E. Brenner,
Paul Hendren,
Benjamin H. Lingo,
Alfred H. Donahue,
John D. Jones,
Walter Cochran,
Henry F. Floyd,
Robert D. Kirkpatrick, and
Harold P. Parmelee.

Ensign Joseph Y. Dreisonstok to be a lieutenant (junior grade) in the Navy from the 8th day of December, 1915.

Chief Boatswain George G. Robertson to be an ensign in the Navy from the 5th day of December, 1916.

Gunner Fred W. Connor to be an ensign in the Navy from the 5th day of December, 1916.

Gunner Roman J. Miller to be an ensign in the Navy from the 5th day of December, 1916.

Col. Littleton W. T. Waller to be a brigadier general in the Marine Corps from the 29th day of August, 1916.

Col. George Barnett (now Major General Commandant) to be a brigadier general in the Marine Corps from the 29th day of August, 1916.

Col. Joseph H. Pendleton to be a brigadier general in the Marine Corps (subject to examination required by law) from the 29th day of August, 1916.

Col. John A. Lejeune to be a brigadier general in the Marine Corps from the 29th day of August, 1916.

Col. Eli K. Cole to be a brigadier general in the Marine Corps (subject to examination required by law) from the 29th day of August, 1916.

Lieut. Carlos Bean to be a lieutenant commander in the Navy from the 29th day of August, 1916.

Lieut. Roscoe C. Davis to be a lieutenant commander in the Navy from the 29th day of August, 1916.

Lieut. (Junior Grade) Roy P. Emrich to be a lieutenant in the Navy from the 12th day of April, 1916.

Ensign Palmer H. Dunbar, jr., to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign Hugh L. White to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign Roy Dudley to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign Laurence Wild to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign Solomon H. Greer to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign Henry M. Briggs to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign Hartwell C. Davis to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign James H. Strong to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign Hardy B. Page to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign Oliver L. Downes to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign Lloyd H. Lewis to be a lieutenant (junior grade) in the Navy from the 8th day of December, 1915.

Ensign Stuart E. Bray to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign Jerome A. Lee to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

Ensign Joseph H. Hoffman to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the 26th day of August, 1916:

Julian C. Brantley, a citizen of North Carolina,
Franklin T. Bower, a citizen of Delaware, and
Irving W. Jacobs, a citizen of Massachusetts.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the 29th day of August, 1916:

Philip F. Prioleau, a citizen of Florida, and
Albin H. Cecha, a citizen of Nebraska.

Edward K. Lee, a citizen of Maryland, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 18th day of September, 1916.

Edward H. Sparkman, jr., a citizen of South Carolina, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 29th day of September, 1916.

Andrew J. Sullivan, a citizen of Massachusetts, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 2d day of October, 1916.

Edward A. Brown, a citizen of Virginia, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 19th day of October, 1916.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the 4th day of November, 1916:

Sterling P. Taylor, jr., a citizen of the District of Columbia, and
Aaron Robinson, a citizen of Maryland.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the 7th day of November, 1916:

Emil J. Stein, a citizen of Illinois,
Mortimer T. Clement, a citizen of South Carolina,
Alma C. Smith, a citizen of Missouri,
Kenneth E. Lowman, a citizen of South Carolina,
Louis H. Clerf, a citizen of Washington,
Ezra E. Koebbe, a citizen of Michigan,
Earl C. Carr, a citizen of Missouri, and
Joseph H. Durrett, a citizen of Alabama.

Assistant Naval Constructor Allan J. Chantry, jr., to be a naval constructor in the Navy from the 30th day of October, 1916.

The following-named midshipmen to be ensigns in the Navy from the 3d day of June, 1916:

Archibald E. Fraser,
Fred D. Kirtland, and
William J. Forrestel.

POSTMASTERS.

ALABAMA.

Henry B. Hall to be postmaster at Courtland, Ala. Office became presidential October 1, 1916.

Walter R. Harris to be postmaster at Moulton, Ala. Office became presidential October 1, 1916.

Leila C. Jones to be postmaster at Lincoln, Ala. Office became presidential October 1, 1916.

Frederick W. McCormack to be postmaster at Leighton, Ala. Office became presidential October 1, 1916.

James E. Robinson to be postmaster at Clanton, Ala., in place of B. M. Roberts, resigned.

Jesse G. Turner to be postmaster at Slocomb, Ala. Office became presidential October 1, 1916.

Ora B. Wann to be postmaster at Madison, Ala. Office became presidential October 1, 1916.

ALASKA.

Fred B. Wood to be postmaster at Anchorage, Alaska. Office became presidential October 1, 1916.

ARKANSAS.

Hollis S. Bass to be postmaster at Monette, Ark. Office became presidential October 1, 1916.

Albert B. Couch to be postmaster at Lake City, Ark. Office became presidential October 1, 1916.

Arthur L. France to be postmaster at Gillett, Ark. Office became presidential October 1, 1916.

Joe L. Goodbar to be postmaster at Charleston, Ark. Office became presidential October 1, 1916.

William B. Gould to be postmaster at Glenwood, Ark. Office became presidential October 1, 1916.

William L. Greer to be postmaster at Horatio, Ark. Office became presidential October 1, 1916.

Florence F. McKinzie to be postmaster at Wilson, Ark., in place of Camille Bringle, resigned.

Mamie Pattillo to be postmaster at Mountain Home, Ark. Office became presidential October 1, 1916.

Grover C. Raper to be postmaster at Bauxite, Ark. Office became presidential October 1, 1916.

Nora A. Toler to be postmaster at Sheridan, Ark. Office became presidential October 1, 1916.

CALIFORNIA.

George W. Black to be postmaster at Elk Grove, Cal., in place of A. P. Bettersworth, resigned.

Nora E. Boyd to be postmaster at Highland, Cal., in place of R. A. Boyd, deceased.

Elmer A. Nordyke to be postmaster at Geyserville, Cal. Office became presidential October 1, 1916.

Donald B. Robb to be postmaster at Gridley, Cal., in place of Joseph L. Osborn, resigned.

COLORADO.

Harry M. McKinney to be postmaster at Yuma, Colo., in place of Bruce Russell, resigned.

Ernest Osier to be postmaster at Walden, Colo. Office became presidential October 1, 1916.

Robert H. Weir to be postmaster at Otis, Colo. Office became presidential October 1, 1916.

CONNECTICUT.

John S. Champlin to be postmaster at South Coventry, Conn. Office became presidential October 1, 1916.

Durward E. Granniss to be postmaster at New Preston, Conn. Office became presidential October 1, 1916.

Edward F. Schmidt to be postmaster at Westbrook, Conn. Office became presidential October 1, 1916.

FLORIDA.

James P. Jones to be postmaster at Auburndale, Fla. Office became presidential October 1, 1916.

Charles A. Miller to be postmaster at Crystal River, Fla. Office became presidential October 1, 1916.

James O. Milton to be postmaster at Macclenny, Fla. Office became presidential October 1, 1916.

Arthur L. Stevens to be postmaster at Waldo, Fla. Office became presidential October 1, 1916.

GEORGIA.

Dollie Allen to be postmaster at Ellaville, Ga. Office became presidential October 1, 1916.

Don T. Barnes to be postmaster at Canon, Ga. Office became presidential October 1, 1916.

Scott Berryman to be postmaster at Bowman, Ga. Office became presidential October 1, 1916.

Edward J. Bible to be postmaster at Mount Berry, Ga. Office became presidential October 1, 1916.

Shedrick J. Faulk to be postmaster at Jeffersonville, Ga., in place of Mary L. Carswell, removed.

Kate Harris to be postmaster at Leesburg, Ga. Office became presidential October 1, 1916.

Susie McAllister, to be postmaster at Fort Gaines, Ga., in place of T. C. Peterson. Incumbent's commission expired June 7, 1916.

John N. Mangham to be postmaster at Zebulon, Ga. Office became presidential October 1, 1916.

James A. Stone to be postmaster at Wrens, Ga. Office became presidential October 1, 1916.

Will P. Tate to be postmaster at Trion, Ga. Office became presidential October 1, 1916.

Elisha A. Meeks to be postmaster at Nicholls, Ga. Office became presidential October 1, 1916.

IDAHO.

George Alley to be postmaster at Bancroft, Idaho. Office became presidential October 1, 1916.

Olive R. Biggs to be postmaster at Buhl, Idaho, in place of Claude V. Biggs, resigned.

ILLINOIS.

Polona H. Callaway to be postmaster at Tallula, Ill. Office became presidential October 1, 1916.

J. D. Downer to be postmaster at Downers Grove, Ill., in place of Bert C. White, resigned.

Andrew J. Gillogly to be postmaster at Sidell, Ill., in place of T. B. Williams. Incumbent's commission expired January 18, 1916.

Anthony R. Gorman to be postmaster at Raymond, Ill., in place of W. L. Seymour. Incumbent's commission expired July 29, 1916.

Hugh Hall to be postmaster at Litchfield, Ill., in place of Zeno J. Rives. Incumbent's commission expired July 30, 1916.

P. H. Langan to be postmaster at Odell, Ill., in place of W. D. Abbaduska. Incumbent's commission expired February 13, 1916.

Philip Maher to be postmaster at Elmwood, Ill., in place of Frederick D. Jay, deceased.

William F. Peterson to be postmaster at Brownstown, Ill. Office became presidential October 1, 1916.

Charles P. Regan to be postmaster at Capron, Ill. Office became presidential October 1, 1916.

Alta A. Rose to be postmaster at Atwood, Ill., in place of C. C. Hamilton. Incumbent's commission expired April 24, 1916.

Theodore J. Schweer to be postmaster at Beardstown, Ill., in place of Frederick E. Schweer, deceased.

James H. Spiker to be postmaster at Bushnell, Ill., in place of C. A. Duntley. Incumbent's commission expired January 11, 1916.

Traverse R. Wright to be postmaster at Seaton, Ill. Office became presidential October 1, 1916.

INDIANA.

Claude L. Carpenter to be postmaster at Pleasant Lake, Ind. Office became presidential October 1, 1916.

Silas R. Chaney to be postmaster at Bryant, Ind. Office became presidential October 1, 1916.

Jason W. Clark to be postmaster at Rossville, Ind. Office became presidential October 1, 1916.

Lola Fern Dolan to be postmaster at Avilla, Ind. Office became presidential October 1, 1916.

John D. Holland to be postmaster at Waveland, Ind. Office became presidential October 1, 1916.

John A. Jennings to be postmaster at Rome City, Ind. Office became presidential October 1, 1916.

Lawson La Master to be postmaster at Sellersburg, Ind. Office became presidential October 1, 1916.

Harvey R. Mills to be postmaster at Camden, Ind. Office became presidential October 1, 1916.

Mary L. Sage to be postmaster at Milroy, Ind., in place of James R. Sage, resigned.

George W. Stout to be postmaster at Hamilton, Ind. Office became presidential October 1, 1916.

Evert M. Stroud to be postmaster at Carmel, Ind. Office became presidential October 1, 1916.

Jennette R. Winkelmann to be postmaster at Austin, Ind. Office became presidential October 1, 1916.

Frederick J. Werner to postmaster at Orland, Ind. Office became presidential October 1, 1916.

IOWA.

Estey C. Baggs to be postmaster at Hornick, Iowa. Office became presidential October 1, 1916.

Harry E. Erickson to be postmaster at Linn Grove, Iowa. Office became presidential October 1, 1916.

Harold I. Kelley to be postmaster at Early, Iowa, in place of Joseph M. Kelley, removed.

Edward F. McGorrisk to be postmaster at Arnolds Park, Iowa. Office became presidential October 1, 1916.

Charles E. Perdue to be postmaster at Pierson, Iowa. Office became presidential October 1, 1916.

Henry W. Pitstick to be postmaster at Boyden, Iowa. Office became presidential October 1, 1916.

Eugene Reardon to be postmaster at Auburn, Iowa. Office became presidential October 1, 1916.

Emma O. Wellemeyer to be postmaster at Harris, Iowa. Office became presidential October 1, 1916.

KANSAS.

John Carden to be postmaster at Meriden, Kans. Office became presidential October 1, 1916.

James R. Day to be postmaster at Dexter, Kans. Office became presidential October 1, 1916.

George F. Dillon to be postmaster at McLouth, Kans. Office became presidential October 1, 1916.

James Fairhurst to be postmaster at Winchester, Kans. Office became presidential October 1, 1916.

Samuel S. Irwin to be postmaster at Kincaid, Kans. Office became presidential October 1, 1916.

Orville O. Lavender to be postmaster at Valley Center, Kans. Office became presidential October 1, 1916.

Robert B. Leedy to be postmaster at Neosho Falls, Kans. Office became presidential October 1, 1916.

Elvah R. Lemon to be postmaster at Portis, Kans. Office became presidential October 1, 1916.

Everett W. Nelson to be postmaster at Vermillion, Kans. Office became presidential October 1, 1916.

J. B. Riddle to be postmaster at Wichita, Kans., in place of John H. Shields, deceased.

Rufus A. Rogers to be postmaster at Selden, Kans. Office became presidential October 1, 1916.

Michael Ryan to be postmaster at Scranton, Kans. Office became presidential October 1, 1916.

Vera E. Smith to be postmaster at Palco, Kans. Office became presidential October 1, 1916.

Adam J. Thielen to be postmaster at Dorrance, Kans. Office became presidential October 1, 1916.

KENTUCKY.

Charles A. Bell to be postmaster at Bedford, Ky. Office became presidential October 1, 1916.

Beverly L. Bradshaw to be postmaster at Tompkinsville, Ky. Office became presidential October 1, 1916.

St. Elmo Coblin to be postmaster at Campbellsburg, Ky. Office became presidential October 1, 1916.

Mary L. Gay to be postmaster at Fleming, Ky., in place of John D. Hartman, resigned.

Thomas B. Nall to be postmaster at Vine Grove, Ky. Office became presidential October 1, 1916.

LOUISIANA.

John H. Allen to be postmaster at Plain Dealing, La. Office became presidential October 1, 1916.

Lester L. Bordelon to be postmaster at Marksville, La., in place of L. L. Bordelon, resigned.

James H. Leech to be postmaster at Mer Rouge, La. Office became presidential October 1, 1916.

Patrick C. McLemore to be postmaster at Lenzburg, La. Office became presidential October 1, 1916.

Ulysses J. Marcotte to be postmaster at Cottonport, La. Office became presidential October 1, 1916.

James C. Parker to be postmaster at Merryville, La., in place of Andy W. Bryan, resigned.

Marian E. Thomas to be postmaster at Grand Cane, La. Office became presidential October 1, 1916.

Willis A. White to be postmaster at Melville, La., in place of Herbert M. Gordon, removed.

MAINE.

Edward H. S. Baker to be postmaster at York Harbor, Me. Office became presidential October 1, 1916.

George L. Baker to be postmaster at Bingham, Me., in place of Albert F. Donigan, resigned.

Mary S. Bartlett to be postmaster at Belgrade Lakes, Me. Office became presidential October 1, 1916.

Clarence E. Cole to be postmaster at Bryant Pond, Me. Office became presidential October 1, 1916.

Alice I. Curtis to be postmaster at Freeport, Me., in place of M. V. Curtis, deceased.

William C. Myrick to be postmaster at East Machias, Me. Office became presidential October 1, 1916.

Ida P. Stone to be postmaster at Oxford, Me. Office became presidential October 1, 1916.

William J. Tower to be postmaster at South West Harbor, Me. Office became presidential October 1, 1916.

Edgar T. Whitehouse to be postmaster at Unity, Me. Office became presidential October 1, 1916.

MARYLAND.

Charles A. Barnes to be postmaster at Silver Spring, Md., in place of Oliver B. Clark, resigned.

Katherine E. Brice to be postmaster at Betterton, Md. Office became presidential October 1, 1916.

Ella V. Cronin to be postmaster at Perryman, Md. Office became presidential October 1, 1916.

William E. Hurlock to be postmaster at Hurlock, Md., in place of W. Jasper Harper, deceased.

John F. Wiley to be postmaster at White Hall, Md. Office became presidential October 1, 1916.

MASSACHUSETTS.

Joseph A. Mahan to be postmaster at Natick, Mass., in place of L. E. Pulsifer. Incumbent's commission expired July 24, 1916.

John F. Malone to be postmaster at Southwick, Mass. Office became presidential October 1, 1916.

Frederick H. Mulcahy to be postmaster at Gardner, Mass., in place of George L. Minot. Incumbent's commission expired July 18, 1916.

Frank M. Tripp to be postmaster at Marion, Mass., in place of Frank M. Tripp. Incumbent's commission expired January 11, 1916.

MICHIGAN.

L. Ross Adamson to be postmaster at Rudyard, Mich. Office became presidential October 1, 1916.

Ira D. Black to be postmaster at Camden, Mich. Office became presidential October 1, 1916.

George M. Dokey, jr., to be postmaster at Beulah, Mich. Office became presidential October 1, 1916.

Gertrude A. Enlow to be postmaster at Covert, Mich. Office became presidential October 1, 1916.

Escaville E. Patterson to be postmaster at Edwardsburg, Mich. Office became presidential October 1, 1916.

Herman W. Reinecke to be postmaster at New Baltimore, Mich. Office became presidential October 1, 1916.

A. Thorne Swift, to be postmaster at Harbor Springs, Mich., in place of Russell A. Lee, resigned.

Eva A. Wurzburg to be postmaster at Northport, Mich. Office became presidential October 1, 1916.

MINNESOTA.

Anna E. Baker to be postmaster at Brownton, Minn. Office became presidential October 1, 1916.

Henry Hendrickson to be postmaster at Hoffman, Minn. Office became presidential October 1, 1916.

Bessie H. Johnson to be postmaster at Echo, Minn. Office became presidential October 1, 1916.

N. Elmie Lewis to be postmaster at Bertha, Minn. Office became presidential October 1, 1916.

Wallace O. Merrill to be postmaster at Silver Lake, Minn. Office became presidential October 1, 1916.

Daniel J. Sullivan to be postmaster at Ellendale, Minn. Office became presidential January 1, 1916.

MISSISSIPPI.

John Hill Allgood to be postmaster at Brookville, Miss., in place of Georgia A. McCuen. Incumbent's commission expired July 16, 1916.

Robert E. Barham to be postmaster at Crenshaw, Miss. Office became presidential October 1, 1916.

Otis E. Brannon to be postmaster at Kilmichael, Miss. Office became presidential October 1, 1916.

Rosa W. Burton to be postmaster at Alligator, Miss. Office became presidential October 1, 1916.

Bertha C. Davis to be postmaster at Nettleton, Miss. Office became presidential October 1, 1916.

Elisha E. Jack to be postmaster at Scooba, Miss. Office became presidential October 1, 1916.

Olivia M. Jenkins to be postmaster at Shuqualak, Miss. Office became presidential October 1, 1916.

Emma E. Marshall to be postmaster at Fernwood, Miss. Office became presidential October 1, 1916.

Mary F. May to be postmaster at Dlo, Miss. Office became presidential October 1, 1916.

Alfred W. Thompson to be postmaster at De Kalb, Miss. Office became presidential October 1, 1916.

Sarah A. Tyner to be postmaster at Bay Springs, Miss. Office became presidential October 1, 1916.

H. R. Ward to be postmaster at Enterprise, Miss, in place of William G. Edwards, deceased.

Frances G. Wimberly to be postmaster at Jonestown, Miss. Office became presidential October 1, 1916.

MISSOURI.

Maud B. Barker to be postmaster at O'Fallon, Mo. Office became presidential October 1, 1916.

Edward Beall to be postmaster at Eolia, Mo. Office became presidential October 1, 1916.

Alberta S. Brim to be postmaster at Green Ridge, Mo. Office became presidential October 1, 1916.

Mae M. Brown to be postmaster at Hurdland, Mo. Office became presidential October 1, 1916.

Perry Chipman to be postmaster at Ewing, Mo. Office became presidential October 1, 1916.

Grady C. Darby to be postmaster at Essex, Mo. Office became presidential October 1, 1916.

Joseph E. J. Everett to be postmaster at Osbon, Mo. Office became presidential October 1, 1916.

John A. Farmer to be postmaster at Linn Creek, Mo. Office became presidential October 1, 1916.

John A. Fields to be postmaster at Powersville, Mo. Office became presidential October 1, 1916.

Robert L. Goodson to be postmaster at New Cambria, Mo. Office became presidential October 1, 1916.

George P. Gordon to be postmaster at Waverly, Mo. Office became presidential October 1, 1916.

Edgar D. Gracey to be postmaster at Galena, Mo. Office became presidential October 1, 1916.

Cordelia F. Lusby to be postmaster at Wentzville, Mo. Office became presidential October 1, 1916.

A. B. Harris to be postmaster at Leeton, Mo. Office became presidential October 1, 1916.

Oren McCrory to be postmaster at Fair Play, Mo. Office became presidential October 1, 1916.

Anna Marolf to be postmaster at Lowry City, Mo. Office became presidential October 1, 1916.

E. M. Moore to be postmaster at Benton, Mo. Office became presidential October 1, 1916.

Oscar L. Perkins to be postmaster at Union Star, Mo. Office became presidential October 1, 1916.

William M. Piatt to be postmaster at Bernie, Mo. Office became presidential October 1, 1916.

John J. Salmon to be postmaster at Chilhowee, Mo. Office became presidential October 1, 1916.

Louis H. Smith to be postmaster at Stewartsville, Mo. Office became presidential October 1, 1916.

Walter P. Steger to be postmaster at Calhoun, Mo. Office became presidential October 1, 1916.

David W. Thompson to be postmaster at Hume, Mo. Office became presidential October 1, 1916.

William H. Wilks to be postmaster at Caruthersville, Mo., in place of L. E. Phlieger, removed.

John B. Williams to be postmaster at Silex, Mo. Office became presidential October 1, 1916.

Martha A. York to be postmaster at Hayti, Mo., in place of Simeon E. Juden, resigned.

MONTANA.

Carolyn B. Arnold to be postmaster at Absarokee, Mont. Office became presidential October 1, 1916.

George E. Crater to be postmaster at Gildford, Mont., in place of George B. Crater, resigned.

W. R. Crockford to be postmaster at Sweetgrass, Mont. Office became presidential October 1, 1916.

A. M. Johns to be postmaster at Wilsall, Mont. Office became presidential October 1, 1916.

Cornelius N. McGree to be postmaster at Hysham, Mont. Office became presidential October 1, 1916.

E. H. Miller to be postmaster at Melstone, Mont., in place of Andrew Fleming, resigned.

Tilda R. Reuter to be postmaster at Westby, Mont., in place of Tilda R. Stageberg, name changed by marriage.

James E. M. Vig to be postmaster at Big Sandy, Mont., in place of Jefferson D. English, resigned.

NEBRASKA.

Ludvik Klimes to be postmaster at Verdigre, Nebr. Office became presidential October 1, 1916.

Charles E. Wilkins to be postmaster at Waterloo, Nebr. Office became presidential October 1, 1916.

NEW HAMPSHIRE.

Henry D. Allison to be postmaster at Dublin, N. H. Office became presidential October 1, 1916.

Harriette H. Hinman to be postmaster at North Stratford, N. H. Office became presidential October 1, 1916.

Warren W. McGregor to be postmaster at Bethlehem, N. H. Office became presidential October 1, 1916.

Leon F. Perkins to be postmaster at Bradford, N. H. Office became presidential July 1, 1916.

NEW JERSEY.

Edward F. Lonergan to be postmaster at Millburn, N. J., in place of G. C. Kessler. Incumbent's commission expired January 11, 1916.

Joseph P. Quin to be postmaster at Hillsdale, N. J. Office became presidential October 1, 1916.

Susie S. Smith to be postmaster at Maywood, N. J. Office became presidential October 1, 1916.

Horace G. Stonaker to be postmaster at Riverton, N. J., in place of C. L. Flanagan. Incumbent's commission expired April 15, 1916.

NEW MEXICO.

Clinton E. Byrne to be postmaster at Des Moines, N. Mex. Office became presidential October 1, 1916.

Olive Jones to be postmaster at Cloudcroft, N. Mex. Office became presidential October 1, 1916.

C. L. Loughridge to be postmaster at Gallup, N. Mex., in place of B. A. Wetherell, resigned.

NEW YORK.

Willis Baker to be postmaster at Gilboa, N. Y. Office became presidential October 1, 1916.

Gertrude D. Butler to be postmaster at Croton Falls, N. Y. Office became presidential October 1, 1916.

Henry J. Chichester to be postmaster at East Moriches, N. Y. Office became presidential October 1, 1916.

May C. Force to be postmaseter at Chestertown, N. Y. Office became presidential October 1, 1916.

George E. Hufcut to be postmaster at Castorland, N. Y. Office became presidential October 1, 1916.

Thomas P. Mattison to be postmaster at Bemus Point, N. Y. Office became presidential October 1, 1916.

Edwin C. Miller to be postmaster at Morris, N. Y. Office became presidential October 1, 1916.

Michael Murray to be postmaster at Rosebank, N. Y., in place of George F. Cornell, resigned.

George C. Ross to be postmaster at West Sayville, N. Y. Office became presidential October 1, 1916.

Apollos A. Smith to be postmaster at Paul Smiths, N. Y. Office became presidential October 1, 1916.

William H. Spain to be postmaster at Mahopac, N. Y. Office became presidential October 1, 1916.

Frank L. Terrell to be postmaster at East Quogue, N. Y. Office became presidential October 1, 1916.

Wilbur J. Wagner to be postmaster at Parksville, N. Y. Office became presidential October 1, 1916.

Charles O. Williams to be postmaster at Central Bridge, N. Y. Office became presidential October 1, 1916.

NORTH CAROLINA.

William S. Carawan to be postmaster at Columbia, N. C. Office became presidential October 1, 1916.

C. G. Conner to be postmaster at Rich Square, N. C. Office became presidential October 1, 1916.

Fuller T. Currie to be postmaster at Pinehurst, N. C. Office became presidential October 1, 1916.

Charlie G. Foushee to be postmaster at Ramseur, N. C. Office became presidential October 1, 1916.

William Z. Gibson to be postmaster at Gibson, N. C. Office became presidential October 1, 1916.

J. Lawrence Harrington to be postmaster at Aulander, N. C. Office became presidential October 1, 1916.

Margaret W. Mann to be postmaster at Swanquarter, N. C. Office became presidential October 1, 1916.

Otho G. Turbyfill to be postmaster at Huntersville, N. C. Office became presidential October 1, 1916.

NORTH DAKOTA.

Elizabeth I. Connelly to be postmaster at Hurdsfield, N. Dak. Office became presidential October 1, 1916.

Joseph C. Evans to be postmaster at Beulah, N. Dak. Office became presidential October 1, 1916.

Sydney W. Douglas to be postmaster at Pembina, N. Dak. Office became presidential October 1, 1916.

Bessie G. George to be postmaster at Van Hook, N. Dak. Office became presidential October 1, 1916.

J. J. Hess to be postmaster at Sentinel Butte, N. Dak., in place of F. W. Peterson, resigned.

Theodore F. Huston to be postmaster at Deering, N. Dak. Office became presidential October 1, 1916.

Thomas J. Kavanagh to be postmaster at Carpio, N. Dak. Office became presidential October 1, 1916.

Joseph N. Nelson to be postmaster at Inkster, N. Dak. Office became presidential October 1, 1916.

Grace Norred to be postmaster at Killdeer, N. Dak. Office became presidential October 1, 1916.

Archibald J. Palmer to be postmaster at Halliday, N. Dak. Office became presidential October 1, 1916.

Kathryn Savage to be postmaster at Braddock, N. Dak. Office became presidential October 1, 1916.

John A. Schieb to be postmaster at Kensal, N. Dak., in place of Gladys Thompson, resigned.

Frank K. Shearer to be postmaster at Dazey, N. Dak. Office became presidential October 1, 1916.

Wendell D. Smith to be postmaster at Forbes, N. Dak. Office became presidential October 1, 1916.

Max H. Strehlow to be postmaster at Kindred, N. Dak. Office became presidential October 1, 1916.

William Stewart to be postmaster at Dogden, N. Dak. Office became presidential October 1, 1916.

John C. Zeller to be postmaster at Watford City, N. Dak. Office became presidential October 1, 1916.

OHIO.

Voy J. Boots to be postmaster at Williamsport, Ohio, in place of Frederic C. Betts, resigned.

Harley R. Grandle to be postmaster at Leesburg, Ohio, in place of R. W. Grandle, deceased.

Carl B. Johannsen to be postmaster at Put In Bay, Ohio. Office became presidential October 1, 1916.

John M. Hamilton to be postmaster at Shiloh, Ohio. Office became presidential October 1, 1916.

Clifford H. Robertson to be postmaster at Lore City, Ohio. Office became presidential October 1, 1916.

Harry M. Walden to be postmaster at Coolville, Ohio. Office became presidential October 1, 1916.

Maud Walker to be postmaster at New Madison, Ohio. Office became presidential October 1, 1916.

John L. Wilson to be postmaster at Marengo, Ohio. Office became presidential October 1, 1916.

Sylvester L. Yochum to be postmaster at Camden, Ohio, in place of George M. Sizelove, resigned.

OKLAHOMA.

W. L. M. Burton to be postmaster at Shamrock, Okla. Office became presidential October 1, 1916.

Walter R. Franklin to be postmaster at McLoud, Okla., in place of George Stowell. Incumbent's commission expired July 13, 1916.

Henry S. Howell to be postmaster at Mill Creek, Okla. Office became presidential October 1, 1916.

M. F. Landon to be postmaster at Lehigh, Okla., in place of H. W. Warrick, resigned.

Clifford P. Martin to be postmaster at McCurtain, Okla. Office became presidential October 1, 1916.

Cora M. Murdock to be postmaster at Oilton, Okla. Office became presidential October 1, 1916.

Lillian M. Newhouse to be postmaster at Prague, Okla., in place of George C. Barber, deceased.

J. P. Renfrew to be postmaster at Alva, Okla., in place of L. W. Moore. Incumbent's commission expired January 24, 1916.

Charles H. Roosevelt to be postmaster at Verden, Okla. Office became presidential October 1, 1916.

C. C. Speakman to be postmaster at Wellston, Okla., in place of S. J. Thompson, resigned.

Robert H. Speck to be postmaster at Vici, Okla. Office became presidential October 1, 1916.

Millie D. Swift to be postmaster at Bigheart, Okla. Office became presidential October 1, 1916.

J. W. Westbrook to be postmaster at Ada, Okla., in place of M. W. Ligon, removed.

Vida E. Woolverton to be postmaster at Redrock, Okla. Office became presidential October 1, 1916.

PENNSYLVANIA.

Isaac H. Albright to be postmaster at Cochranville, Pa. Office became presidential October 1, 1916.

David H. Caldwell to be postmaster at Manor, Pa., in place of John P. Wilson. Incumbent's commission expired August 20, 1916.

George F. Carr to be postmaster at McAdoo, Pa. Office became presidential January 1, 1916.

Frank Clancy to be postmaster at Conneautville, Pa., in place of James E. Rupert. Incumbent's commission expired August 23, 1916.

Edward R. Dissinger to be postmaster at Mount Gretna, Pa. Office became presidential October 1, 1916.

Joseph L. Infield to be postmaster at Fredonia, Pa., in place of Philip F. Roof, deceased.

Mary A. Jefferis to be postmaster at Wynnewood, Pa. Office became presidential October 1, 1916.

Katharyn McClellan to be postmaster at Marienville, Pa. Office became presidential October 1, 1916.

Joseph C. McCormick to be postmaster at Marion Center, Pa. Office became presidential October 1, 1916.

Ezekiel S. McElhatten to be postmaster at Shippensville, Pa. Office became presidential October 1, 1916.

John J. McCoy to be postmaster at Crum Lynne, Pa. Office became presidential October 1, 1916.

Chester A. Moore to be postmaster at Howard, Pa. Office became presidential October 1, 1916.

Harry F. Moyer to be postmaster at Robesonia, Pa. Office became presidential October 1, 1916.

Joseph J. Moylan to be postmaster at Waymart, Pa. Office became presidential July 1, 1915.

Edward F. Poist to be postmaster at McSherrystown, Pa. Office became presidential October 1, 1916.

Sylvester W. Smith to be postmaster at Center Hall, Pa. Office became presidential October 1, 1916.

Daniel H. Sutton to be postmaster at East Butler, Pa. Office became presidential October 1, 1916.

J. Hayes Turner to be postmaster at Lincoln University, Pa. Office became presidential October 1, 1916.

Robert P. Whitman to be postmaster at Schwenkville, Pa., in place of John H. Rahn, deceased.

Murray D. Zechman to be postmaster at Sinking Spring, Pa. Office became presidential October 1.

PORTO RICO.

Hortensia R. O'Neill to be postmaster at San German, P. R., in place of Hortensia R. O'Neill. Incumbent's commission expired July 30, 1916.

Julio Ramos to be postmaster at Cayey, P. R., in place of Julio Ramos. Incumbent's commission expired August 24, 1916.

Simon Semidei to be postmaster at Yauco, P. R., in place of Simon Semidei. Incumbent's commission expired July 30, 1916.

RHODE ISLAND.

James F. Grant to be postmaster at Barrington, R. I. Office became presidential October 1, 1916.

Caleb E. Moffitt to be postmaster at Esmond, R. I. Office became presidential October 1, 1916.

SOUTH CAROLINA.

William B. Blakeley to be postmaster at Andrews, S. C. Office became presidential October 1, 1916.

George A. Bassellieu to be postmaster at Meggett, S. C. Office became presidential October 1, 1916.

Lewis B. Freeman to be postmaster at Paris Island, S. C. Office became presidential October 1, 1916.

John A. Patjens to be postmaster at Mount Pleasant, S. C. Office became presidential October 1, 1916.

Hattie J. Peeples to be postmaster at Varnville, S. C. Office became presidential October 1, 1916.

Grover L. Smith to be postmaster at Springfield, S. C. Office became presidential October 1, 1916.

SOUTH DAKOTA.

Henry F. Cook to be postmaster at Northville, S. Dak., in place of Charles W. Elsom, removed.

Bernard Laverty to be postmaster at Hitchcock, S. Dak., in place of George A. Poe, removed.

John A. Stransky to be postmaster at Pukwana, S. Dak. Office became presidential October 1, 1916.

TENNESSEE.

S. H. Allen to be postmaster at Petersburg, Tenn., in place of I. S. Davidson, resigned.

Charles R. Brumley to be postmaster at Mascot, Tenn. Office became presidential October 1, 1916.

Leon Caraway to be postmaster at Big Sandy, Tenn. Office became presidential October 1, 1916.

Willis H. Claxton to be postmaster at Stanton, Tenn. Office became presidential October 1, 1916.

Thomas Lee Fowlkes to be postmaster at Ridgely, Tenn. Office became presidential October 1, 1916.

J. B. Gilbert to be postmaster at Huntingdon, Tenn., in place of E. A. Morgan. Incumbent's commission expired August 8, 1916.

Henry E. Hudson to be postmaster at Whitwell, Tenn. Office became presidential October 1, 1916.

Mary Coker Parker to be postmaster at Mont Eagle, Tenn. Office became presidential October 1, 1916.

York A. Quillen to be postmaster at Bullsgap, Tenn. Office became presidential October 1, 1916.

Clyde E. Smith to be postmaster at Rutledge, Tenn. Office became presidential October 1, 1916.

James B. Sugg to be postmaster at Adams, Tenn. Office became presidential October 1, 1916.

Mary A. Varnell to be postmaster at Altonpark, Tenn. Office became presidential October 1, 1916.

Perry B. West to be postmaster at Lafayette, Tenn. Office became presidential October 1, 1916.

TEXAS.

Hiram A. Bachman to be postmaster at Throckmorton, Tex. Office became presidential October 1, 1916.

Paul P. Bates to be postmaster at Glazier, Tex. Office became presidential October 1, 1916.

W. E. Boykin to be postmaster at Lufkin, Tex., in place of Crockett Campbell. Incumbent's commission expired June 12, 1916.

Alice Brown to be postmaster at Ralls, Tex. Office became presidential October 1, 1916.

Ward W. Gillette to be postmaster at Benjamin, Tex. Office became presidential October 1, 1916.

Joe Green to be postmaster at Ratcliff, Tex., in place of S. D. Ratcliff, deceased.

J. W. Jackson to be postmaster at Elgin, Tex., in place of John L. Burke. Incumbent's commission expired August 23, 1916.

James W. Kennedy to be postmaster at Jayton, Tex. Office became presidential October 1, 1916.

Charles H. Latham to be postmaster at Eden, Tex. Office became presidential October 1, 1916.

Betty Matthews to be postmaster at Mathis, Tex. Office became presidential October 1, 1916.

Vernon McIntyre to be postmaster at Marathon, Tex. Office became presidential October 1, 1916.

J. A. Noland to be postmaster at Crawford, Tex. Office became presidential October 1, 1916.

Josephine W. Roche to be postmaster at Georgetown, Tex., in place of F. T. Roche, deceased.

McIver Smith to be postmaster at Texline, Tex. Office became presidential October 1, 1916.

Frances L. Spikes to be postmaster at Wheeler, Tex. Office became presidential October 1, 1916.

James D. Stevens to be postmaster at Carlton, Tex. Office became presidential October 1, 1916.

Thomas R. Warr to be postmaster at Mount Calm, Tex., in place of F. W. Kirkland, resigned.

John P. Williamson to be postmaster at Iredell, Tex. Office became presidential October 1, 1916.

Ruby L. Wood to be postmaster at Kirkland, Tex. Office became presidential October 1, 1916.

UTAH.

Anna M. Long to be postmaster at Marysvale, Utah. Office became presidential October 1, 1916.

Abraham O. Smoot to be postmaster at Provo, Utah, in place of James Clove, removed.

VERMONT.

Antonio Bonazzi to be postmaster at Plainfield, Vt. Office became presidential October 1, 1916.

Riley W. Densmore to be postmaster at West Burke, Vt. Office became presidential October 1, 1916.

Albert B. Roberts to be postmaster at Dorset, Vt. Office became presidential October 1, 1916.

W. Ray Whitney to be postmaster at Franklin, Vt. Office became presidential October 1, 1916.

VIRGINIA.

Samuel F. Akers to be postmaster at Emory, Va. Office became presidential October 1, 1916.

John A. Brockenbrough to be postmaster at Warsaw, Va. Office became presidential October 1, 1916.

Henry C. Browning to be postmaster at Meadowview, Va. Office became presidential October 1, 1916.

Mrs. Mack K. Cunningham to be postmaster at Fort Myer, Va. Office became presidential October 1, 1916.

Charles E. Fahrney to be postmaster at Timberville, Va. Office became presidential October 1, 1916.

Amos K. Graybill to be postmaster at Nokesville, Va. Office became presidential October 1, 1916.

Richard M. Janney to be postmaster at Gloucester, Va. Office became presidential October 1, 1916.

Joseph R. McGavock to be postmaster at Max Meadows, Va. Office became presidential October 1, 1916.

Gordon P. Murray to be postmaster at Hollins, Va. Office became presidential October 1, 1916.

John W. Roberts to be postmaster at Windsor, Va. Office became presidential October 1, 1916.

George A. Samsell to be postmaster at Stephens City, Va. Office became presidential October 1, 1916.

Rosamond C. Sawyer to be postmaster at Virginia Beach, Va. Office became presidential October 1, 1916.

Paul Scarborough to be postmaster at Franklin, Va., in place of R. H. Cobb, deceased.

Benjamin A. Williams to be postmaster at Courtland, Va. Office became presidential October 1, 1916.

WASHINGTON.

Averill Beavers to be postmaster at Kennewick, Wash., in place of Eleanor Staser, resigned.

William R. Brown to be postmaster at Charleston, Wash. Office became presidential January 1, 1915.

Jesse R. Storey to be postmaster at Renton, Wash., in place of W. F. Brown, deceased.

WEST VIRGINIA.

Jesse Craver to be postmaster at Boomer, W. Va. Office became presidential October 1, 1916.

Alexander Lester to be postmaster at Omar, W. Va. Office became presidential October 1, 1916.

J. P. Peck to be postmaster at Mabscott, W. Va. Office became presidential October 1, 1916.

Hiram C. R. Stewart to be postmaster at New Cumberland, W. Va., in place of R. M. Brown. Incumbent's commission expired July 29, 1916.

WISCONSIN.

J. E. Dennis to be postmaster at Downing, Wis. Office became presidential October 1, 1916.

William A. De Smidt to be postmaster at Cedar Grove, Wis. Office became presidential October 1, 1916.

Theresa Heinen to be postmaster at Random Lake, Wis.

Victor E. Layer to be postmaster at Adams, Wis. Office became presidential October 1, 1916.

Mark V. Murphy to be postmaster at Bear Creek, Wis. Office became presidential October 1, 1916.

WYOMING.

Albert J. Schils to be postmaster at Cokeville, Wyo. Office became presidential October 1, 1916.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 18, 1916.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude and praise to Thee, our Father in heaven, for the overtures of peace advanced by one of the belligerent nations and its allies. And we most fervently pray that they may be received in good faith and bring together not only the leading powers of the nations engaged in war but those of all nations, that all differences may be amicably adjusted and peace restored. And grant, O most merciful Father, that the conference of nations may establish a permanent basis upon which all national and international differences may be settled by the wiser and saner methods of arbitration, that war may be relegated to the past as a relic of barbarism, and that peace may reign supreme forever and ay, through Him who taught us love and good will to all men. Amen.

The Journal of the proceedings of Saturday, December 16, 1916, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 7095. An act extending the time for completion of the bridge across the Delaware River, authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.

DECEMBER SALARIES OF CONGRESSIONAL EMPLOYEES.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent for the present consideration of the following joint resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Joint resolution (H. J. Res. 324) authorizing payment of the salaries of officers and employees of Congress for December, 1916.

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives are authorized and instructed to pay the officers and employees of the Senate and of the House of Representatives, including the Capitol police, their respective salaries for the month of December, 1916, on the day of adjournment of the present session for the holiday recess; and the Clerk of the House is authorized to pay on the same date the Members, Delegates, and Resident Commissioners their allowance for clerk hire for the said month of December.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the last vote was laid on the table.

PATENTS TO CERTAIN INDIANS IN WASHINGTON.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8092) confirming patents heretofore issued to certain Indians in the State of Washington, which has passed the Senate with certain amendments, and I ask that the Senate amendments be disagreed to and that the House request a conference.

The SPEAKER. The gentleman from Texas asks unanimous consent to take from the Speaker's table H. R. 8092, with Senate amendments——

Mr. MANN. To discharge the Committee of the Whole House on the state of the Union.

The SPEAKER. To discharge the Committee of the Whole House on the state of the Union from the further consideration of this bill, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. STEPHENS of Texas, Mr. CARTER of Oklahoma, and Mr. CAMPBELL.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. This is unanimous-consent day. The Clerk will call the first bill on the Calendar for Unanimous Consent.

ISSUES OF SECURITIES BY COMMON CARRIERS.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 563) to amend section 20 of an act to regulate commerce, to prevent overissues of securities by carriers, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I think it is very evident to all gentlemen interested in this bill that it is not one which should be considered on the Unanimous-Consent Calendar if there is any other way of getting at it.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

Mr. ADAMSON. I hope it is not necessary to do that.

The SPEAKER. It is necessary to do that under the rule.

Mr. ADAMSON. I will ask unanimous consent that notwithstanding the rule the bill remain on the calendar.

The SPEAKER. The gentleman can put it back on the calendar.

Mr. ADAMSON. I know; but if the House is willing I can request that it remain on the calendar without prejudice.

The SPEAKER. The gentleman from Georgia asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Now?

Mr. RAYBURN. Now.

The SPEAKER. The gentleman from Texas [Mr. RAYBURN] asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, this bill, H. R. 563, that has just been objected to—and I do not criticize anybody for objecting to its present consideration—was introduced in this House in 1913, was reported to the House, and passed the House in 1914. Out of all the membership present voting upon it at that time only 12 men in the House voted against it. It was deemed at that time to be very necessary. It has been deemed since that time to be very necessary by the people who have been interested in real regulation of railroads in this country. It contains two principal provisions. One is to follow the recommendations of the Hadley Commission, to give greater publicity to the acts of common carriers in this country. The other is that before railroad companies hereafter shall make new issues of stocks and bonds they shall come before the Interstate Commerce Commission and receive the approval of that commission.

In 1915 the railroad attorneys of this country got busy and they began to agitate a general investigation of all matters pertaining to railway regulation in the country. They interested some mighty good men in their proposition. They interested some Senators; they interested some Members in the House. When that resolution, known as the Newlands resolution, was considered by the Committee on Interstate and Foreign Commerce of the House I objected to it there, and I would have brought my objections to this floor had I not been necessarily out of town at the time it was considered here. I said then—and that prediction has come absolutely true—that that resolution amounted to nothing except to stay all railroad legislation in this House. When it was proposed that that committee should report back here on January 8 I said that it would not be ready to report at that time, but would come back to this House asking for more time. That has happened. A resolution has been introduced into this House to extend the time of that committee. What has that committee done? In July of this year that committee was authorized by this House to go into a general investigation of the railroad question in this country.

And what have they done? In seven months they have heard one witness fully—not more than three others partially—and adjourned until after the 4th of March, 1917. I make this statement for the simple reason of calling the attention of the Members of this House who are friends of real railroad legislation in this country, who want to do something, when this resolution comes up for consideration not to administer another dose of chloroform to all the legislation that we seek to get through in this and succeeding Congresses. If you give this Newlands committee all the time it wants it will be five long years before they are ready to report, because the prime movers of the bill and resolution are against any kind of new legislation with reference to the railroads of this country.

This resolution has some other provisions in it that will surprise you when you read it. It even goes to the extent of saying that the same House committee that was appointed in July, 1916, shall remain the House committee so long as this committee shall live, even though some members of the committee will not be Members of the next Congress. [Laughter.] I want to say, and I choose this opportunity to call upon the friends of railroad legislation in this House, people who are friends of State commissions in this country, who have done so much along this line, friends of any regulation whatever, to join me when this resolution comes up not to give a longer life to this chloroform resolution, but smother it when it comes up for consideration. [Applause.]

CLASSIFICATION OF COTTON.

The SPEAKER. The Clerk will report the next bill on the Unanimous-Consent Calendar.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 15913) to authorize the Secretary of Agriculture to establish uniform standards of classification for cotton; to provide for the application, enforcement, and use of such standards in transactions in interstate and foreign commerce, to prevent deception therein, and for other purposes.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, this is a very important bill, and will probably soon be considered on the call of committees. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

GRANT OF PUBLIC LANDS IN OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15156) granting public lands to the State of Oklahoma.

Mr. McCLINTIC. Mr. Speaker, I ask unanimous consent that that bill be passed over without prejudice.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that that bill be passed over without prejudice. Is there objection?

There was no objection.

SERUMS, TOXINS, ETC.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15914) to authorize the Secretary of Agriculture to license establishments for and to regulate the preparation of viruses, serums, toxins, and analogous products for use in the treatment of domestic animals, and for other purposes.

Mr. RUBEY. Mr. Speaker, I ask unanimous consent that that bill be passed without prejudice.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the bill be passed without prejudice. Is there objection?

There was no objection.

PATENT OF LANDS IN UTAH CONTAINING GILSONITE, ETC.

The next business on the Calendar for Unanimous Consent was the bill (S. 43) in relation to the location, entry, and patenting of lands within the former Uncompahgre Indian Reservation, in the State of Utah, containing gilsonite or other like substances, and for other purposes.

Mr. MEEKER. Mr. Speaker, I ask unanimous consent that that bill be passed without prejudice.

The SPEAKER. The gentleman from Missouri asks unanimouse consent to pass the bill without prejudice. Is there objection?

There was no objection.

SIOUX TRIBE OF INDIANS.

The next business on the Calendar for Unanimous Consent was the bill (S. 4371) authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

Mr. DILLON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to pass the bill without prejudice. Is there objection?

There was no objection.

Mr. DILLON. Mr. Speaker, I make the same request in regard to the next bill, H. R. 10774.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to pass the bill without prejudice. Is there objection?

There was no objection.

IMPORTATION OF VIRUSES, SERUMS, TOXINS, ETC.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 199) to regulate the importation of viruses, serums, toxins, and analogous products, to regulate interstate traffic in said articles, and for other purposes.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, let the bill be reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That it shall be unlawful for any person, firm, or corporation to prepare, sell, or exchange, or offer for sale or exchange in the District of Columbia, or in the Territories, or in any place under the exclusive jurisdiction of the United States, or to ship or deliver for shipment from any State or Territoryr to any other State or Territory or to the District of Columbia, or from the District of Columbia to any State or Territory, or to import from any foreign country into the United States, or to export from the United States into any foreign country, any contaminated, dangerous, or harmful virus, serum, toxin, or analogous product intended for the prevention or cure of diseases of man.

SEC. 2. That no person, firm, or corporation shall prepare, sell, exchange, or ship, or offer for sale, exchange, or shispment, or import or export as aforesaid, any virus, serum, toxin, or analogous product intended for the prevention or cure of diseases of man, unless (a) the said virus, serum, toxin, or analogous product shall have been prepared, in compliance with regulations prescribed by the Secretary of the Treasury, at an establishment holding an unsuspended and unrevoked license for the manufacture, barter, and sale of such virus, serum, toxin, or product, issued by the Secretary of the Treasury as hereinafter authorized, or unless (b) each package of such virus, serum, toxin, or analogous product is plainly marked with the descriptive name and laboratory number of the article contained therein, the name, address, and license number of the manufacturer, and the date up to which the contents will, with reasonable certainty, yield their specific results, or in case the standard of potency for the contents has been fixed by the Secretary of the Treasury, unless it is plainly marked with the strength of the contents in accordance with the standard so fixed: *Provided*, That the Secretary of the Treasury may, in his discretion, permit the importation or carriage of any virus, serum, toxin, or analogous product, although the same is not prepared in a licensed establishment and the packages of the same are not properly marked, when the same is furnished without charge to physicians, hospitals, or institutions of learning solely for scientific purposes.

SEC. 3. That no person shall falsely label or mark any package or container of any virus, serum, toxin, antitoxin, or product aforesaid, prepared or propagated in a licensed establishment, or alter any label or mark on any such package or container so as to falsify such label or mark.

SEC. 4. That any officer, agent, or employee of the Treasury Department, authorized by the Secretary of the Treasury for the purpose, may, during all reasonable hours, enter and inspect any establishment licensed under this act, and licenses shall be issued upon condition that the holders of the same will permit inspections of their establishments.

SEC. 5. That the Secretary of the Treasury is hereby authorized to make and promulgate from time to time such regulations as may be necessary to prevent the preparation, sale, exchange, or shipment as aforesaid of any contaminated, dangerous, or harmful virus, serum, toxin, or analogous product intended for the prevention or cure of diseases of man, and to issue, suspend, and revoke licenses for the maintenance of establishments for the preparation of viruses, serums, toxins, and analogous products, applicable to the prevention and cure of diseases of man, intended for sale, exchange, or shipment as aforesaid.

SEC. 6. That all inspections of establishments and examinations of viruses, serums, toxins, and analogous products made under authority of this act shall be made by the Public Health Service, and if it shall appear that any such product imported from abroad is contaminated, dangerous, or harmful, the same shall be denied entry and shall be destroyed or returned at the expense of the owner or importer.

SEC. 7. That the Secretary of the Treasury be, and he is hereby, authorized and directed to enforce the provisions of this act and of such rules and regulations as may be made by authority thereof; to issue, suspend, and revoke licenses for the maintenance of establishments aforesaid, and to designate standards of purity and potency for viruses, serums, toxins, and analogous products applicable to the prevention and cure of diseases of man.

SEC. 8. That no person shall interfere with any officer, agent, or employee of the Treasury Department in the performance of any duty imposed upon him by this act or by regulations made by authority thereof.

SEC. 9. That any person who shall violate, or aid or abet in violating, any of the provisions of this act shall be punished by a fine not exceeding $500, or by imprisonment not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

SEC. 10. That the act approved July 1, 1902, entitled "An act to regulate the sale of viruses, serums, toxins, and analogous products in the District of Columbia, to regulate interstate traffic in said articles, and for other purposes," and all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Georgia is recognized for one hour.

Mr. ADAMSON. Mr. Speaker, I have no disposition to consume the time of the House unnecessarily. This proposition is to secure purity of these drugs, and has been recommended to our committee and to the Congress for several terms. If I am not mistaken, my distinguished friend from Illinois [Mr. MANN] had something to do with the effort to make it a law when he was the chairman of the Committee on Interstate and Foreign Commerce. I have introduced it twice at the earnest recommendation of the department, and it seems to me that very few things can be more important than securing the purity of the drugs on which we rely for our health. I shall insert here the report of the committee, as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 199) to regulate the importation of viruses, serums, toxins, and analogous products, to regulate interstate traffic in said articles, and for other purposes, having considered the same, report thereon with a recommendation that it pass.

The bill has the approval of the Treasury Department, as will appear by the letter attached and which is made a part of this report:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, January 6, 1916.

The CHAIRMAN COMMITTEE ON
INTERSTATE AND FOREIGN COMMERCE,
House of Representatives.

SIR: I have the honor to acknowledge the receipt of your communication of the 21st ultimo, inclosing copy of bill (H. R. 199) to regulate the importation of viruses, serums, toxins, and analogous products, to regulate interstate traffic in said articles, and for other purposes, and requesting an expression of the views of the department concerning this bill.

The object of the proposed bill is evidently to remedy the defects of the existing law for the control of the interstate and international traffic in biologic products intended for the prevention and cure of diseases of man. As the use of this important kind of preparations becomes more and more general, it is obvious that all necessary precautions must be taken to safeguard the public health from dangers from this source.

Section 1 would provide authority for the prohibition of the sale, importation, exportation, and interstate shipment of contaminated, dangerous, and harmful serums, toxins, and analogous products intended for the prevention or cure of diseases of man.

Section 2 would prohibit the importation and interstate shipment of unlicensed viruses, serums, toxins, and analogous products. At present the law forbids importation and interstate shipment of the products in question only when they are intended for sale. It does not cover cases where the sale has been completed before importation or shipment. This is a serious defect, and the mischief which the law was designed to guard against can not be prevented as long as an unlicensed manufacturer is able to distribute his products with impunity, provided the sales are completed before shipment. The defect mentioned is not only dangerous to the public, but is also in reality a discrimination against reputable licensed establishments which comply with the law. It is thought this defect will be remedied by prohibiting the shipment of products generally, unless they are prepared in licensed establishments.

Section 2 contains also a proviso that the Secretary of the Treasury may, in his discretion, permit the importation or carriage of any products furnished without charge to physicians, hospitals, or other institutions solely for scientific purposes. This will guard against unnecessary restrictions in particular cases and will not discourage scientific research.

Section 5 confers authority on the Secretary of the Treasury to make the necessary regulations to carry the act into effect.

Section 6 provides that inspections of establishments and examinations of the products propagated therein shall be made by the Public Health Service, as has been the practice ever since the present law has been in operation. This section also provides for the disposal of contaminated, dangerous, and harmful products that may be imported.

The other sections of the bill contain provisions similar to those now in force, and section 7, in addition, authorizes the Secretary of the Treasury to fix standards of purity and potency.

In order to provide more effective supervision over biologic products, it is respectfully recommended that in the interest of the public health this bill be enacted into law.

Respectfully,

W. G. MCADOO, *Secretary.*

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. ADAMSON. Certainly.

Mr. STAFFORD. The department has certain authority under existing law. Will the gentleman explain to the House wherein the new provisions differ from the existing statute?

Mr. ADAMSON. That would be a rather hard task for me to enter upon.

Mr. STAFFORD. I do not wish to impose any difficult task upon my friend, particularly in view of the approaching Christmas holidays, and I shall withdraw the inquiry.

Mr. ADAMSON. The existing provisions have been held by the department to be entirely inadequate, and these have been formulated with great care and due consideration, and the last section provides that all other provisions be repealed and that this shall constitute the law, if this be enacted into law. Whatever the others may be, this language would be the law if Congress should enact it.

Mr. ESCH rose.

Mr. ADAMSON. Perhaps my friend from Wisconsin [Mr. ESCH] can satisfy his colleague by telling him something of the details, ramifications, and imperfections of the present law.

Mr. STAFFORD. I am quite sure that my colleague will not be *fearful of* undertaking such a task and will be only too willing to do so.

Mr. ADAMSON. I would be very glad to hear the gentleman.

Mr. ESCH. Mr. Speaker, the question was asked wherein this bill differs from existing law. Will the gentleman from Georgia yield to me?

Mr. ADAMSON. I certainly yield with pleasure.

Mr. ESCH. This bill gives to the Secretary of the Treasury the power of fixing the standard of potency of these various drugs and viruses, a power which is not contained in the existing law. It also provides for regulation of transportation of interstate commerce, and also respecting importations from abroad of these viruses and serums. Then there is a provision that where these viruses, and so forth, are for physicians, hospitals, and institutions of learning, and are solely for scientific purposes, the Secretary of the Treasury may permit the importation, although they may not be prepared in a licensed establishment or properly marked, if they are furnished without charge.

In section 5 there is a radical change from existing law in that the Secretary of the Treasury is given sole power to make and promulgate from time to time such regulations as may be necessary to prevent the preparation, sale, exchange of any contaminated viruses, and so forth.

Mr. STAFFORD. Which, I take it, means through the Public Health Service?

Mr. ESCH. Yes; but under the existing law a board consisting of representatives from the Army and Navy and the Public Health Service make those rules and regulations. Section 6 is also new matter providing for the inspection of establishments, the examination of viruses, and so forth, and then there is a provision that if it shall appear that any such product imported from abroad is contaminated, dangerous, or harmful, the same shall be denied entry and shall be destroyed or returned at the expense of the owner or importer. The existing law made no such provision.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

Mr. ESCH. Yes; in the time of the gentleman from Georgia.

The SPEAKER. The gentleman from Georgia has the floor.

Mr. ADAMSON. Mr. Speaker, I am quite willing to divide my time with the gentleman from Wisconsin [Mr. ESCH].

Mr. TOWNER. The provisions of this act have reference only to the diseases of man.

Mr. ESCH. Exactly. There is a bill on the calendar providing for the regulation of viruses and serums applicable to the diseases of domestic animals. We have no jurisdiction over that subject matter.

Mr. TOWNER. That will come up and be considered from another committee—the Committee on Agriculture?

Mr. ESCH. It has already been considered, and the bill is on the calendar.

Mr. MANN. I will state to the gentleman that it is possible that that may be considered on the first Wednesday in January.

Mr. TOWNER. I would like to have the gentleman from Wisconsin explain to the House why it is that this power is given to the Secretary of the Treasury?

Mr. ESCH. The Public Health Service is under the jurisdiction of the Treasury Department, and as this is within the jurisdiction of the Secretary of the Treasury we gave him that power.

Mr. TOWNER. As a matter of fact, it would be largely controlled by recommendations from the Health Department?

Mr. ESCH. Yes.

Mr. MANN. Mr. Speaker, will the gentleman from Georgia yield for a question?

Mr. ADAMSON. With pleasure. I wish first to thank my colleague from Wisconsin for his explanation of the bill.

Mr. MANN. I want to ask a question with reference to the language of the bill. I do not remember whether this language follows the language of the existing law. Section 2 provides that no person shall sell, exchange, import, and so forth, any virus—

Unless (a) the said virus, serum, toxin, or analogous product shall have been prepared—

in a licensed establishment, and then follows "or unless (b)" each package is plainly marked with a descriptive name, and so forth. I did not suppose that it was intended to have those in the alternative, and it seemed to me that the word "or" ought to be "and," that the intention was to have all of these serums prepared in a licensed establishment and then marked.

Mr. ESCH. I have the original law here, if the gentleman from Georgia will yield. The original law uses the words "nor (b) unless," and the bill we are now considering uses the word "or."

Mr. MANN. Yes; but "nor (b) unless" is not alternative. That is an additional requirement. This is purely alternative, and it seemed to me that the word "or" ought to be the word "and."

Mr. ADAMSON. If the gentleman will permit, the way I understand the department views it is that they were willing to allow the liberty to a man to take the responsibility, as they do under the pure-food law, of making direct representation.

Mr. MANN. Evidently not; because the language under the word "or" is that it must contain the descriptive name and laboratory number of the article and also the address and license number of the manufacturer, and the date, and so forth. That plainly contemplates not only serums from licensed establishments, but requires they be—

Mr. ESCH. It should be "nor."

Mr. ADAMSON. It would not permit him to put it up and place it on the market without a license.

Mr. MANN. That is the purpose.

Mr. ADAMSON. I have no objection to that.

Mr. MANN. But being a criminal statute in a way, there ought to be——

Mr. ADAMSON. That appears to be consistent, and I have no objection to it.

Mr. ESCH. Why not insert the "nor" in the place of "or," and then have the law as it is now? Mr. Speaker, I offer an amendment. Page 2, line 14, strike out the word "or" and insert the word "nor."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 2, line 14, by striking out the word "or" and inserting the word "nor."

Mr. ADAMSON. I think that ought to be made, Mr. Speaker.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

OTTAWA INDIAN TRIBE OF BLANCHARDS FORK AND ROCHE DE BŒUF.

The next business on the Calendar for Unanimous Consent was the bill (S. 138) for the relief of the Ottawa Indian Tribe of Blanchards Fork and Roche de Bœuf.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I am not opposed to the bill, but I would like to have a couple of amendments adopted. One is to strike out part of line 11 and all of lines 12 and 13. I can see no reason why this little claim should be advanced on the docket of the Court of Claims or the Supreme Court. I also have a further amendment limiting the amount of attorney's fees to 10 per cent of the amount of the judgment that may be rendered in these cases. With those two amendments, I have no objection to the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill goes off the calendar.

COMMISSION TO STUDY SOCIAL INSURANCE AND UNEMPLOYMENT.

The next business on the Unanimous Consent Calendar was (H. J. Res. 250) to provide for the appointment of a commission to prepare and recommend a plan for the establishment of a national insurance fund and for the mitigation of the evil of unemployment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. LONDON rose.

Mr. MANN. If the gentleman wants to be heard——

Mr. LONDON. Mr. Speaker, I ask unanimous consent that this resolution be passed without prejudice.

The SPEAKER. The gentleman from New York asks unanimous consent that this joint resolution be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

AVIATION IN THE COAST GUARD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15736) to provide for aviation in the Coast Guard.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. ADAMSON. Mr. Speaker, I do not see the gentleman from Virginia, and my understanding is that this provision has already become the law and has been incorporated in the naval bill. I ask that the bill go over for the present without prejudice.

Mr. MANN. Why not strike it off the calendar?

Mr. ADAMSON. I may be in error, and I would like to see the gentleman from Virginia first.

Mr. MANN. If it was not provided for in the naval bill, it is not likely to be provided further.

The SPEAKER. The gentleman from Georgia asks unanimous consent to pass over this bill without prejudice. Is there objection? [After a pause.] The Chair hears none.

PAYMENTS OF ASSESSMENTS FOR BENEFITS FOR OPENING STREETS, ETC., DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15460) to provide for the payment of assessments for benefits for the opening of streets, avenues, roads, and alleys in the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I ask to have the bill passed over without prejudice.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

CIVIL WAR VOLUNTEER OFFICERS' RETIRED LIST.

The next business of the Calendar for Unanimous Consent was the bill (H. R. 386) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. JAMES. Mr. Speaker, I object.

The SPEAKER. The bill goes off the calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from California asks unanimous consent that this bill may be passed over without prejudice. Is there objection?

Mr. CALLAWAY. Mr. Speaker, I object.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that on this bill I may insert the following statement of mine in the RECORD.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the RECORD on this bill. Is there objection? [After a pause.] The Chair hears none.

The statement is as follows:

Civil War Volunteer officers' retired list.

GENERAL LAW AS TO THESE OFFICERS.

Lieutenant general	$11,000
Major general	8,000
Brigadier general	6,000
Colonel	4,000
Lieutenant colonel	3,500
Major	3,000
Captain	2,400
First lieutenant	2,000
Second lieutenant	1,700

I will quote from table of estimates prepared by Col. C. R. E. Koch, now deceased:

Generals and colonels	144
Lieutenant colonels	216
Surgeons (rank of major) Paymasters (rank of major) Majors (rank of major)	360
Assistant surgeons (rank of captain) Chaplains (rank of captain) Captains (rank of captain)	2,520
Adjutants (rank of first lieutenant) Quartermasters (rank of first lieutenant) First lieutenants (rank of first lieutenant)	2,304
Second lieutenants	1,656
	7,200

Quoting further from estimates prepared by Col. Koch, deceased: "Leaving net cost first year of law's operation, from December 31, 1915, $3,642,390."

Estimated loss by death from December 31, 1915, to October 31, 1916, 663; 11 every five days—8 per cent.

This is a reduction of cost of	$19,390
The estimated loss by death for the year beginning Nov. 1, 1916, 8 per cent	26,656
	46,046

Estimated cost for continued payments, $3,596,434.

Pension Office report of October 31, 1916, gives 353,034 as the number of Civil War invalids on the rolls. 1.54 per cent, 663, from 7,200 estimated volunteer officers living October 31, 1916, 6,537

The retired pay provided for by this act shall begin upon the date of the passage of this act and continue during the natural life of the beneficiary; it shall be payable quarterly and shall not exceed, in the case of any surviving officer, three-fourths of the initial active pay now received by a captain in the United States Army.

Generals, colonels, lieutenant colonels, surgeons, paymasters, and majors, would be three-fourths of captain's pay of $2,400, $1,800.

Assistant surgeons, chaplains, and captains would be one-half of captain's pay of $2,400, $1,200.

Adjutants, quartermasters, and first lieutenants would be one-half of first lieutenant's pay of $2,000, $1,000.

Second lieutenant would be one-half of $1,700, $850.

Should the H. R. 386 amendment be adopted, "On page 4, line 17, strike out the word 'captain' and insert in lieu thereof the words 'second lieutenant,'" it would reduce the ratings of the generals down to and include the majors to three-fourths that of a second lieutenant, $1,700—$1,275. It does not change the ratings of captains, adjutants, assistant surgeons, chaplains, second lieutenants, quartermasters, and first lieutenants from the provision of S. bill 392.

HOURS OF SERVICE OF RAILROAD EMPLOYEES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9216) to amend sections 2, 3, 4, and 5 of an act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907.

The Clerk read the title of the bill.

Mr. ADAMSON and Mr. COADY rose.

The SPEAKER. Is there objection?

Mr. WINSLOW. Mr. Speaker, I object.

Mr. ADAMSON. My understanding is that this has been fully incorporated in another bill which has already become a law, and I ask unanimous consent that the committee pass it over without prejudice until the author can return to the House.

Mr. STAFFORD. Does the gentleman mean that the increase of wage bill incorporated this provision of law?

Mr. ADAMSON. I do not know that there is any such law.

Mr. MANN. If it had been incorporated in that bill, why not pass it over?

Mr. ADAMSON. I think in the other bill it is completely covered. I ask that it be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

MISBRANDED ARTICLES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10496) to prohibit the manufacture, sale, or transportation in interstate commerce of misbranded articles, to regulate the traffic therein, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the bill be passed over without prejudice. Is there objection? [After a pause.] The Chair hears none.

YUMA (ARIZ.) AUXILIARY RECLAMATION PROJECT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14825) to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object, Mr. Speaker.

The SPEAKER. The gentleman from Wisconsin objects.

Mr. STAFFORD. Mr. Speaker, I do not wish to have the bill stricken from the calendar. When the bill was last reached, at the request of the author the bill went over without prejudice. I ask unanimous consent now that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

UNCLAIMED BANK DEPOSITS, DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16070) to dispose of unclaimed bank deposits in the District of Columbia, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill be passed over without prejudice. Is there objection. [After a pause.] The Chair hears none.

BALANCE DUE LOYAL CREEK INDIANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9326) to pay the balance due the Loyal Creek Indians on the award made by the Senate on the 16th day of February, 1903.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. VENABLE. Mr. Speaker, reserving the right to object, this bill carries an item of $600,000 for the payment of these Indians, which, according to my view and the view of the minority, is indefensible and unjustifiable under the facts, law, equities, or natural justice. I think the merits of the measure ought to come before the Members for their consideration, and for that reason I object.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Mississippi [Mr. VENABLE] objects, and the gentleman from Oklahoma [Mr. HASTINGS] asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

SALE OF COAL DEPOSITS TO REPUBLIC COAL CO.

The next business on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 50) authorizing the Secretary of the Interior to sell the coal deposits in and under certain public lands to the Republic Coal Co., a corporation.

The SPEAKER. Is there objection?

Mr. MAYS. Mr. Speaker, reserving the right to object, I have objected to the consideration of this bill several times because the bill sought to transfer to the Milwaukee Railroad Co. more land than the law provides may be transferred to any association or corporation, and for the other reason that there was no safeguard in the bill providing that the Milwaukee Railroad Co. should not enter the commercial market with the coal produced on this land. But I understand the gentleman having in charge the bill will offer an amendment which, if it is passed, will remedy those objections. And for that reason I will not object.

Mr. HILLIARD. Mr. Speaker, the reason does not satisfy me, and I object.

The SPEAKER. The gentleman from Colorado objects, and the bill is stricken from the calendar.

Mr. STOUT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Montana asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

FLANDREAU BAND OF SIOUX INDIANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13165), authorizing the Flandreau Band of Sioux Indians to submit claims to the Court of Claims.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar.

Mr. DILLON. Mr. Speaker, I ask unanimous consent that the bill be retained on the calendar without prejudice.

The SPEAKER. The gentleman from South Dakota asks that the bill be passed over without prejudice. Is there objection? [After a pause.] The Chair hears none.

RECLAMATION OF CERTAIN ARID LANDS IN NEVADA.

The next business on the Calendar for Unanimous Consent was the bill (S. 2519) to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. LENROOT. Mr. Speaker, I ask unanimous consent that the bill may go over without prejudice.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

EXPENSES INCURRED UNDER TREATY OF WASHINGTON.

The next business on the Calendar for Unanimous Consent was the bill (S. 649) making appropriations for expenses incurred under the treaty of Washington.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I shall have to object, but I have no objection to the bill being passed over without prejudice. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the bill be posed over without prejudice. Is there objection?

There was no objection.

CLAIMS OF THE STATE OF NORTH CAROLINA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3654) to authorize the Secretary of the Treasury to audit and adjust certain claims of the State of North Carolina.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I will make a similar request as to this bill.

The SPEAKER. The gentleman from Wisconsin asks unanimouse consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

RETIREMENT PAY OF JUDGES OF UNITED STATES DISTRICT COURTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11152) to provide retirement pay in certain cases for judges of the United States district courts in the Territories.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects. The bill is stricken from the calendar.

COL. DAVID DU B. GAILLARD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15076) granting to the widow of Col. David Du B. Gaillard authority to place, in his memory, a tablet in the Memorial Amphitheater at Arlington, Va.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. MEEKER. Mr. Speaker, would not the gentleman be willing that this bill should go over without prejudice?

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects, and the gentleman from Missouri [Mr. MEEKER] asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

NATIONAL PARK AT GUILFORD COURT HOUSE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8229) to establish a national military park at the battle field of Guilford Court House.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. STEADMAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

UNITED STATES DISTRICT ATTORNEY FOR THE DISTRICT OF RHODE ISLAND.

The next business called on the Calendar for Unanimous Consent was the bill (H. R. 10110) to increase the salary of the United States district attorney for the district of Rhode Island.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. CALLAWAY. I object.

Mr. O'SHAUNESSY. Mr. Speaker, I ask unanimous consent that the bill retain its place on the calendar.

Mr. STAFFORD. That bill is not on the calendar. It has been called out of order.

The SPEAKER. How is it called out of order?

Mr. STAFFORD. This is to increase the salary of the United States district attorney for the district of Rhode Island.

The SPEAKER. The Clerk will call the next one.

ABANDONMENT OF PINEY BRANCH ROAD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12035) to provide for the abandonment of

Piney Branch Road between Allison Street and Buchanan Street NW., in the District of Columbia.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Illinois objects and the gentleman from Kentucky asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 235) to authorize the President of the United States to convey to the foreign Governments participating in the Panama-Pacific International Exposition the grateful appreciation of the Government and the people of the United States.

The title of the joint resolution was read.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the joint resolution is stricken from the calendar.

LANDS OF WINNEBAGO AND OMAHA INDIANS, NEBRASKA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11161) providing for the taxation of the lands of the Winnebago Indians and the Omaha Indians in the State of Nebraska.

The title of the bill was read.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. STEPHENS of Nebraska. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. MANN. Reserving the right to object, how about Senate bill 6116?

Mr. STEPHENS of Nebraska. What is the number?

Mr. MANN. Union Calendar 332, Senate bill 6116. Is it not the same thing?

Mr. STEPHENS of Nebraska. That is the same bill that the amendment is intended to affect.

Mr. MANN. If the subject is going to be considered at all, there is no use in considering the House bill when we have the Senate bill on the same subject here.

Mr. STEPHENS of Nebraska. Mr. Speaker, I ask unanimous consent that Senate bill 6116 be considered in lieu of House bill 11161.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that Senate bill 6116, Union Calendar 332, be considered in lieu of House bill 11161. Is there objection?

There was no objection.

The SPEAKER. The gentleman asks unanimous consent also that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

An act (S. 6116) providing for the taxation of the lands of the Winnebago Indians and the Omaha Indians in the State of Nebraska.

Be it enacted, etc., That all of the lands in the State of Nebraska belonging to the members of the tribe of Winnebago Indians held under patents of allotments, and upon which the 25-year trust period shall have expired, or shall expire, and which trust period shall have been or shall be extended as provided by law, shall be, and the same are hereby, made subject to appraisement and assessment for the purposes of taxation and subject to taxation for local, school district, road district, county, and State purposes, as provided by the laws of the State of Nebraska now in force or to be hereinafter enacted.

SEC. 2. That all of the lands in the State of Nebraska belonging to the members of the tribe of Omaha Indians now held under trust patents of allotments issued in 1885 or subsequent thereto, and upon which the 25-year trust period shall have expired, and which trust period shall have been extended, as provided by law, shall be, and the same are hereby, made subject to appraisement and assessment for the purposes of taxation and subject to taxation for local, school district, road district, county, and State purposes, as provided by the laws of the State of Nebraska now in force or to be hereinafter enacted: *Provided*, That any of the lands described in section 1 and section 2 of this act, so long as the same shall be held under trust patents, shall not be subject to levy and tax sale, as provided under the laws of the State of Nebraska for the collection of such taxes; but if such tax shall not be paid within one year after the same shall become due and payable, as provided by the laws of the State of Nebraska, then the list of such unpaid and delinquent taxes on the lands of the Winnebago Indians and Omaha Indians, as above provided, shall be certified by the county treasurer of the county in which such lands are situated to the Secretary of the Interior, who shall be authorized to pay the same from any funds belonging to the Indian allottees owning such lands so taxed and arising from the rentals thereof or under his control; and in the event that no such funds shall be in the possession or under the control of the Secretary of the Interior, he shall certify that fact to the said county treasurer, which certificate shall operate as a full release and discharge of the tax assessed against the land of the Indian so without funds.

With a committee amendment, as follows:

On page 2, line 2, strike out the word "hereinafter" and insert the word "hereafter," and, in line 13, strike out the word "hereinafter" and insert the word "hereafter."

The SPEAKER. The gentleman from Nebraska is recognized for five minutes.

Mr. STEPHENS of Nebraska. Mr. Speaker, I understand there is no objection to the measure.

Mr. STAFFORD. Does the gentleman think it is worth while to send this bill back to the Senate for these little technical amendments, to change the words "hereafter" and "hereinafter"?

Mr. STEPHENS of Nebraska. I do not know.

Mr. STAFFORD. Why not disagree to the amendments proposed and have the bill enacted at this time?

Mr. MANN. The amendments are essential.

Mr. STAFFORD. I think "hereinafter" is of just the same effect as "hereafter."

Mr. MANN. Oh, no. The word "hereinafter" would refer to this bill. Does the Senate bill read "hereinafter"?

Mr. STEPHENS of Nebraska. It does not in the copy I have.

Mr. STAFFORD. In the copy I have it reads "hereinafter" with a committee amendment "hereafter."

Mr. MANN. It ought to be changed.

Mr. STAFFORD. All right.

The SPEAKER. The question is on the amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

By unanimous consent the corresponding House bill (H. R. 11151) was laid on the table.

INDIAN DEPREDATION CLAIMS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6876) to amend an act entitled "An act to amend an act entitled 'An act to provide for the adjudication and payment of claims arising from Indian depredations,' approved March 3, 1891," approved January 11, 1915.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that this bill may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the act entitled "An act to amend an act entitled 'An act to provide for the adjudication and payment of claims arising from Indian depredations,' approved March 3, 1891," approved January 11, 1915 (38 Stats., p. 791), be, and the same is hereby, amended as follows:

SEC. 2. Strike out all of the second proviso of the said amendatory act approved January 11, 1915, and insert the following:

That all claims heretofore filed under said act of March 3, 1891, and which have been dismissed by the court for nonprosecution, or want of proof of citizenship, or the alienage of the claimant, shall, upon proof heretofore made or to be hereafter made that the claimants in such cases were not at the date of their losses citizens of the United States be reinstated and readjudicated in accordance with the provisions of this act.

SEC. 3. That all motions to reinstate in accordance with the provisions of this act shall be filed within two years from the date of the passage hereof.

SEC. 4. That all acts or parts of acts inconsistent herewith are hereby repealed.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. MANN. I think we ought to have a statement with reference to this bill. We have had a great many controversies here in reference to these claims for Indian depredations. I do not want even this bill to go through without some statement on the record in addition to what is in the bill itself. It is evident that the intention of Congress was not very clearly expressed before, because this is an act to amend an act, and we do not know what it does do.

Mr. TILLMAN. Mr. Speaker, I ask that the matter may be passed over for a few moments. The gentleman from Texas [Mr. STEPHENS] is the author of the bill, and he is familiar with its provisions. I know nothing about it further than is stated in the report. The report of the committee is unanimous in favor

of the measure, and I am informed that a similar bill has passed the Senate.

Mr. MANN. Mr. Speaker, we have had a long controversy in Congress in reference to these Indian-depredation claims. A great many of them were filed and dismissed for various reasons, one that the tribes were at war and were not in amity with the United States; and some years ago we reached a practical agreement between gentlemen on both sides of the Chamber that we would authorize the reinstatement of claims where the only reason for their dismissal was that of alienship, lack of citizenship. We attempted to do that, with the understanding that we would not enact legislation opening the door for all other claims. Now, it seems that in that legislation which we did enact, endeavoring to remove the disability of alienship, the language did not cover all of those cases. As I understand this bill, it is simply for the purpose of authorizing the reinstatement of cases where the bar was the fact that the claimant was not a citizen of the United States.

Mr. TILLMAN. It would seem that that is the object of the measure.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. TILLMAN, a motion to reconsider the last vote was laid on the table.

FISH-CULTURAL STATION IN CALIFORNIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11245) to authorize the establishment of an auxiliary or field fish-cultural station on the Klamath River, in the State of California.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I think the gentleman from California [Mr. RAKER], the author of this bill, succeeded in killing his proposition the other day by inserting it as an amendment to the omnibus fish-hatchery bill. If so, the gentleman ought not to take two chances. I object.

Mr. TAYLOR of Colorado. Mr. Speaker, in the absence of the gentleman I ask that the bill be continued on the calendar.

Mr. MANN. Oh, no. A man ought to take one chance. He can not ride two horses going in different directions at the same time.

Mr. TAYLOR of Colorado. I do not know anything about that, only the gentleman from California is not here, and I thought we might leave the bill on the calendar until he comes into the room.

Mr. MANN. Evidently he did not expect the bill to remain on the calendar or he would be here.

The SPEAKER. The gentleman from Colorado asks unanimous consent that the bill go over without prejudice. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

METROPOLITAN POLICE OF THE DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10926) to amend an act approved June 8, 1906, entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901."

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object——

Mr. VINSON. I ask unanimous consent that the bill be passed over without prejudice.

Mr. STAFFORD. As I understand, the provisions of this bill were incorporated into law in the last District of Columbia appropriation bill.

Mr. VINSON. Not all of them. There were some provisions made with reference to the police force, but the provisions contained in this bill have never been incorporated into law yet.

Mr. STAFFORD. The salary increase provisions were incorporated, just as carried in this bill?

Mr. VINSON. This bill goes further than that and regulates the length of time before the salaries become available, as provided for. I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. The gentleman asks that the bill be passed over without prejudice. Is there objection?

There was no objection.

DONATION OF POWDER-HOUSE LOT AT ST. AUGUSTINE, FLA.

The next business on the Calendar for Unanimous Consent was the bill (S. 3699) to donate to the city of St. Augustine, Fla., for park purposes, the tract of land known as the powder-house lot.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. STAFFORD. I object.

Mr. SEARS. Will the gentleman withhold his objection?

Mr. STAFFORD. I will reserve it.

Mr. SEARS. I trust the gentleman will not object to the bill. This is a very small matter. The Government has owned 11 acres of this property since 1849 and 3½ acres since 1899. The property is lying there idle. This bill only asks that it be used by the city for park purposes in order that the people visiting St. Augustine may have a place of amusement. The bill provides that if they cease to use it for park purposes it reverts to the Government. The city will improve the property. There are no buildings on it and no improvements have been made. Recently there was a fire in the hospital at St. Augustine. They are planning to build a new one. If this land remains in the hands of the Government there will be no trouble, but if the Government should dispose of it, sell it to individuals, there will be no way for ingress or egress at the hospital. They are going to construct a new hospital, and the site will depend largely on the passage of this bill. I trust the gentleman from Wisconsin will not object.

Mr. STAFFORD. Mr. Speaker, I can not understand why the Government, owning property which it has ceased to use for governmental purposes, should donate it to any municipality. In the future there will be numerous instances where homes for disabled soldiers and Army posts are no longer needed for the purpose of the National Government, and if municipalities or other institutions desire them they should pay a reasonable value, just as they do to-day when the Government disposes of an old post-office building that is no longer required for the needs of the service. We dispose of those to municipalities at a reasonable value, and that should be the rule in this instance. I have no objection to the city of St. Augustine obtaining this property, but they should pay for it. Therefore I object.

Mr. SEARS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Florida asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

SURPLUS UNALLOTTED LANDS, BLACKFEET INDIAN RESERVATION, MONT.

The next business on the Calendar for Unanimous Consent was the bill S. 793, an act modifying and amending the act providing for the disposal of the surplus unallotted lands within the Blackfeet Indian Reservation, Mont.

The SPEAKER. Is there objection?

Mr. MANN. I object. I will ask to have it passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AVIATION CORPS, WAR DEPARTMENT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17020) making an appropriation for the benefit of the Aviation Corps of the Department of War and repealing the provisions of certain acts relating to the acquisition of a site and the erection of a public building at Ripon, Wis.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER. The bill is on the Union Calendar.

Mr. STAFFORD. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the sum of $75,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the benefit of the Aviation Corps of the Department of War, and that the same be expended for such purpose under the direction of the Secretary of War.

SEC. 2. That so much of section 4 of the act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of public buildings; to authorize the purchase of sites for public buildings; and for other purposes," as reads as follows: "United States post office at Ripon, Wis., $75,000," and that so much of the section headed "Treasury Department, public buildings, sites, and construction" of the act approved July 29, 1914, entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal

year 1914 and for prior years, and for other purposes," as reads as follows: "Ripon, Wis., post office: For site and commencement, $10,400," be, and the same are hereby, repealed.

Mr. STAFFORD. Mr. Speaker, I move to strike out the first section. Mr. Speaker, considerable publicity was given to the action of the municipality of Ripon a year ago at the time when the country was considering preparedness, by its action in asking that the authorization of $75,000 in the public building act providing for a post office in that city should be rescinded and the money utilized for preparedness purposes.

There we had a concrete instance of money being foisted by the National Government under the pork-barrel public-building bill policy upon a municipality which agreed that there was no need for it whatever. There are other instances which might be cited similar to that of Ripon, of needless authorizations. For my own home city the last public building act carried an appropriation of $100,000 for a post-office site. The Treasury officials that had the administration of the $100,000 did not know whether it was for the establishment of a new post office or whether it was for the purpose of establishing a terminal post office in connection with the railroad station, or what not. They were in the dark. There has been some agitation for years in Milwaukee for a west-side post office. Some years back, about 25 years ago, we erected a very good post-office building, somewhat on the confines of the business district, a location which was not very convenient to the business interests, but there it is.

It has been the policy of the Post Office Department to have but one post-office building in a municipality until the Postal Service reaches that stage when it is no longer large enough to take care of the needs of the Postal Service. It is the experience of persons connected with the postal administration that it is more economical to have postal affairs administered from one central office than it is to have it divided up in numerous stations proximate to the main office.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. In a moment. I am not opposed to Government public buildings. We have adopted the policy here during the last Congress of having special bills brought in for authorizations for public buildings. Those bills were considered upon their merits, and every bill—and as I recollect there have been some dozen of them reported from the Committee on Public Buildings and Grounds—has passed through this House, because there were many who realized that in order to check this abuse of pork in public-building legislation it was advisable to allow individual bills to come in and be considered on their merits, and if they had merit they would stand on their own feet. I now yield to the gentleman from Indiana.

Mr. COX. Mr. Speaker, that is very interesting. Had there been any bills introduced for these sites and appropriations, and if so, who introduced them?

Mr. STAFFORD. Yes; a bill had been introduced by my colleague, but this was during the term I was not here. Some years ago when this question was first agitated in the city of Milwaukee a committee called upon me, and in a frank statement I explained to that committee the situation as I had known postal conditions by reason of my service of six or eight years upon the Post Office Committee. I told them that the Congress had not voted for the establishment of any additional post office in any city where the present post office was able to meet the needs of the Postal Service save in two cities—in Chicago and New York—and then they were not post offices. In New York some 10 years ago we authorized in the Post Office appropriation act an item to rent space from the New York Central Railroad in property adjoining the Grand Central Station. We also, in that same bill, authorized the rental of space for a postal station in conjunction with the Pennsylvania Railroad Station. In Chicago we have had up for consideration, and rightly so, the need of additional ground for a large west side post office, because the present quarters are entirely inadequate to meet the postal needs. That matter has been receiving the attention of the Representatives from Chicago for a good time, and it is a project that has great merit.

Mr. BENNET. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BENNET. I just want to state to the gentleman that he is mistaken in respect to the Pennsylvania station. We paid $1,700,000 for space from the surface of the earth extending down 20 feet and the right to forever support any building upon the ground beneath that. We did not rent anything.

Mr. STAFFORD. I was speaking from recollection.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to proceed for five minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. STAFFORD. My impression was that we had authorized in the same bill the leasing of property in connection with the Grand Central and Pennsylvania stations. The gentleman, coming from New York, of course would know better than I.

Mr. BENNET. With reference to the Grand Central Station the gentleman is correct. With reference to the Pennsylvania station he was incorrect.

Mr. STAFFORD. I thank the gentleman for the information.

Mr. HOWARD. Mr. Speaker, the history of this public-building program is very interesting, but what we want to know is this: What does the gentleman think about this Ripon bill? We would like to know what he wants done with the bill.

Mr. STAFFORD. Mr. Speaker, the gentleman who represents the district in which Ripon is located is not present. It has never been my good fortune to visit this little community.

Mr. HOWARD. Does the gentleman want this to go to the aviation corps or not?

Mr. STAFFORD. This community of Ripon is noted as a college town in the Middle West. I think we should take the municipality of Ripon at its word and accept their offer—that is, to the extent of doing away with the authorization for the building, but not to the extent of utilizing this money for aviation purposes, and for this reason: During the consideration of the legislative bill the representative of the Signal Corps Service stated that he considered there was a compulsion upon him to expend every dollar of the $13,000,000 that had been voted for aviation purposes in the Army appropriation bill last year. He could not find sufficient aeroplanes to be purchased to cover that enormous amount of $13,000,000, so he has adopted the policy, which to me seems to be rather extravagant and unbusinesslike, of offering to every manufacturing concern in the country that manufactures motors a contract to develop some kind of a motor that will be suitable for aeroplanes. I think that the head of any business corporation who was attempting to establish a great service like the aeroplane service would not distribute millions of dollars in establishing virtual experiment stations in every manufacturing plant throughout the country. I know of his doing that in two establishments in my own city, and perhaps it will result in some good, but I would say that if a business man were in charge of the expenditure of $13,000,000 in an industry which is in a more or less experimental state he would not distribute that in experimentation in every machine shop throughout the country, but would be willing to center the experimentation in a few plants.

But this distinguished officer who has charge of the expenditure of the $13,000,000 says that the Congress has called upon the War Department to expend that money, and they are making their best efforts in every way possible to expend the money. I do not think there is any justification for experimentation being carried on in every machine shop wherever they are willing to accept the Government money. In view of the fact that we voted $13,000,000 to the Aviation Service in the last Army act, I think we can well afford to save this $75,000 in this particular item, and I think the municipality of Ripon, in view of that appropriation having been made, since they made that offer, will be willing to have the $75,000 returned to the Public Treasury.

The SPEAKER. The time of the gentleman from Wisconsin has again expired.

Mr. STAFFORD. Mr. Speaker, I ask for two minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. STAFFORD. Especially in view of the growing deficit, which is multiplied every day, and which is multiplying, I might say, at almost the rate of a hundred thousand dollars an hour while Congress is in session, I think that that community will approve having the $75,000 go into the General Treasury.

Mr. PAGE of North Carolina. Does the gentleman propose to offer an amendment?

Mr. STAFFORD. I offered an amendment to the bill, striking out the language of section 1, so as to save this $75,000, which was needlessly authorized.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. PAGE of North Carolina. Mr. Speaker, by direction of the Committee on Appropriations I present the bill making appropriations for the District of Columbia for the fiscal year ending June 30, 1918 (H. Rept. No. 1228), and for other purposes.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 19119) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois reserves all points of order on the bill. The bill is ordered to be printed and referred to the Committee of the Whole House on the state of the Union.

AVIATION CORPS OF WAR DEPARTMENT.

Mr. QUIN. Mr. Speaker, the gentleman from Wisconsin [Mr. STAFFORD] is in error about some portions of this matter. The Congressman representing that district, my colleague [Mr. REILLY], came before the Committee on Military Affairs with a petition representing the sentiments of the citizens of that city requesting that the money already provided for the establishment of this public building should be utilized in developing interest in and the equipping of an Aviation Corps. At that time, you remember—it was at the last session of Congress—the national-defense act was in process of passing this branch of the Congress. The citizenship of that city displayed more patriotism than any other city in the United States because, of all the different cities of this Republic that had buildings allotted and money authorized, this city of Wisconsin was the only one to ask that the money be used to develop the national-defense act.

Mr. BLACK. Will the gentleman yield for a question?

Mr. QUIN. I will.

Mr. BLACK. Was the establishment of this Aviation Corps requested by the Aviation Department of the War Department?

Mr. QUIN. I do not know what steps have been taken, except at that time the War Department agreed with the Committee on Military Affairs of this House that this would be a wise thing to do.

Mr. BLACK. With reference to this particular project?

Mr. QUIN. Yes, sir. They took into consideration none of them, of course.

Mr. BLACK. Does the gentleman have any communication from the War Department on that line?

Mr. QUIN. No; but I know what happened before the committee. The committee agreed to respond to the request of the citizens of Ripon and authorized the passage of this bill. It was reported out. I was requested by the chairman to report it to the House. The bill is here now——

Mr. SLOAN. Will the gentleman yield?

Mr. QUIN. I yield to the gentleman.

Mr. SLOAN. How much less money under this bill would be expended in Ripon if this measure is carried out than would have been expended if the old project had been carried out? I only wanted to find out how great a sacrifice this city is making.

Mr. QUIN. I will say to the gentleman from Nebraska if Congress were to expend this money for aviation instead of a public building that the citizenship of this city is going to do everything else. They themselves are going to develop the aviation business. They are going to furnish the young men who would risk their lives to go up in these flying machines.

Mr. SLOAN. I guess the gentleman did not understand me. If the original project for a building had been carried out, what would have been the amount of money expended on that project at Ripon?

Mr. QUIN. Exactly the same.

Mr. SLOAN. Seventy-five thousand dollars?

Mr. QUIN. That is my understanding of it. The public building was to be a $75,000 project.

Mr. SLOAN. So far as the amount of money expended in the city is concerned, there would not be any sacrifice to them?

Mr. QUIN. I contend it would, because this aviation business would call on their own purses. It would call on the resources of the citizenship of that community, and certainly it would take many of their young men to go into the business. You will remember there was great stress in this country because of the lack of aviators, and the evidence before the Committee on Military Affairs showed that we did not have any Aviation Corps worth speaking of; and the citizens of that community were willing to develop an aviation corps in that section of the country and to train men under the direction of the War Department, which seemed to the Committee on Military Affairs, at least, to be a very worthy project. The transfer of this $75,000 from a public building to the building up of an aviation corps not only seemed to be a most useful purpose, but a most patriotic one on the part of those citizens.

The SPEAKER. The time of the gentleman has expired.

Mr. TILSON. Mr. Speaker, I move to strike out the last word for the purpose of asking some questions with regard to this bill. Although a member of the Committee on Military Affairs, I was not present at the time this bill was reported out, being at that time otherwise engaged.

Mr. QUIN. I yield to the gentleman from Wisconsin [Mr. REILLY], who will answer the gentleman.

Mr. TILSON. I should like to ask where is there anything in this bill requiring that any amount of money or any part of this $75,000 be expended in Ripon, Wis.?

Mr. REILLY. Mr. Speaker, in answer to the gentleman I will say that the original appropriation for Ripon was $75,000. A year ago or two years ago——

Mr. MANN. The gentleman means the original authorization?

Mr. REILLY. The original authorization; the gentleman is correct. Two years ago the appropriation bill carried an appropriation for a site of $10,000. Now, that is really all that is appropriated for a public building in the city of Ripon, but in order that the whole matter would be wiped out and this money appropriated for aviation purposes, as the citizens desired, I simply drew the bill to cover the whole subject matter of present appropriations and the authorization of the bill as originally drawn.

Mr. TILSON. The gentleman's bill seems to wipe out the appropriation for the public building all right, but where in the bill does it require this same amount of money to be spent in Ripon, Wis.?

Mr. REILLY. It does not require any amount of money at all to be spent in Ripon. This bill not only wipes out the appropriation, but also repeals the law authorizing the appropriation, and provides that the said sum be devoted to aviation purposes.

Mr. TILSON. That is what it seems to do. Then, what becomes of the contention that the same amount of money is going to be spent in Ripon under this bill if it passes, as under the bill which it repeals?

Mr. REILLY. I will say, Mr. Speaker, that if this bill is passed there will not be any money spent in Ripon until the House authorizes another public building for that city.

Mr. TILSON. To what different or better purpose could this $75,000 here appropriated be put than if it were appropriated in the Army appropriation bill?

Mr. REILLY. The idea of that was as stated by the gentleman from Mississippi [Mr. QUIN]. At the time this bill was first introduced the House had passed the Army appropriation bill, and the appropriation for the Aviation Board was about $3,000,000, although the Senate afterwards increased the amount to $15,000,000. The people of Ripon were willing to wipe out their chances for a public building at the time and depend on the future, providing the money be specifically devoted to aviation purposes. In other words, they were anxious that the more pressing demands of the national defense be met and considered before the claims of their city for a public building.

Mr. TILSON. Then it is the desire to use this sum, in addition to the sum elsewhere appropriated, for aviation purposes, and not that it be specifically spent in Ripon, Wis.?

Mr. REILLY. Oh, no; there is no money to be spent in the city of Ripon under the terms of this bill.

Mr. BLACK. Will the gentleman yield?

Mr. REILLY. Yes.

Mr. BLACK. Is it not a fact that the War Department got what they were asking for that purpose, anyway, in the regular Army appropriation bill?

Mr. REILLY. I believe the War Department did get under the final bill that was passed all the appropriation it asked for.

Mr. BLACK. Then, does the gentleman think it advisable to go ahead and supplement that with the $75,000?

Mr. REILLY. The action taken by the people of Ripon is unique and unusual, and I believe Congress can do nothing better than to commend such a patriotic move by the citizens of that place, and one way to commend such action is by passing this bill. A year ago this time, or a few months later, when there was a great demand on the Public Treasury for expensive appropriations for Army and Navy purposes, these people of Ripon, who thought at that time that they had $75,000 appropriated for a public building, were willing to waive their right to that appropriation and wipe out their public-building authorizaton bill in order that the sum thus appropriated might be devoted specifically to the public defense. Now, that is the reason for this bill.

I realize there has been a great deal of money appropriated for aviation purposes in both the Army and the Navy, and it might seem useless to pass this law under such circumstances. But the only reason I ask Congress to pass this bill is because of the fact that the citizens of Ripon have exemplified a patriotic spirit that ought to be commended.

The amendment of the gentleman from Wisconsin [Mr. STAFFORD] would in a measure defeat the wishes of the citizens of Ripon. I hope that amendment will not prevail.

Mr. HOWARD. Mr. Speaker, I hate very much to differ with my good friend from Wisconsin [Mr. REILLY] about anything, but this is the funniest situation I have ever seen in the House

in the six years I have been here. We are dealing here with a $75,000 item like a lot of Fiji Islanders would deal with a basket full of clamshells. It seems that in 1913 we passed a public-building bill in which the citizens of Ripon, Wis., through their most able and insistent Representative, secured an appropriation of $75,000 for a public building. And then all at once everybody in this country decided that the hobgoblins were going to get them, and we went in and spent everything in sight and out of sight for the Army and Navy. And still there is more to come. We have staring us right square in the face, like a spotlight, a deficiency of $284,000,000 at the end of the next fiscal year.

It has to be raised from some source or other and by some method, and usually the method adopted by Congress heretofore has been to wring that sum out of the pockets of the folks back home. Rich and poor, high and low, all share that burden together.

Now, here is $75,000. This is a sort of deferred patriotism on the part of the citizens of Ripon. They are patriotic and I admire them for their patriotism; but they say, "We want to take $75,000 out of the Public Treasurry and spend it for aviation, and we are willing to wait a year, if you will do that, or two years, for another appropriation of $75,000 with which to erect a public building." I hope that the fairness and commonsense of this situation will present itself forcibly to you, gentlemen, and that the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD] will prevail for this reason, that the Secretary of War, Mr. Baker, the man whose recommendation we are supposed to follow, says, in referring to this bill:

> The amount referred to ($75,000) can be put to very good use in the purchase of equipment for the Aviation Section of the Signal Corps, but the needs of the Aviation Section are fully covered in the appropriations recommended by the Senate committee in the act making appropriations for the support of the Army, fiscal year 1917; hence the passage of this present bill will be unnecessary.

He says of course it could be used; that they can use it. Of course, they can use it. They could use $10,000,000,000 if you would make it available, and I do not hesitate to say for a minute that they would use it under present public excitement. But here the Secretary of War says, "We do not need it; we are amply provided for." But here are the good citizens of Ripon in their excitement and in their patriotism asking for this when the Secretary of War is telling us that the War Department has no use for it.

Gentlemen, let us cover this $75,000 back into the Treasury. We are going to need it before this Congress is over. We are going to need it worse before the next Congress is over.

Mr. GORDON. Do not argue that with the Republicans. They are stuffing the appropriation bills so far as they can. [Laughter.]

Mr. HOWARD. Well, in my opinion no man is going to spend money indiscriminately without thinking of a day of reckoning. Whether he is a Republican or a Democrat, an Independent or a Socialist or a Progressive, or whatever he is, he is going to hear from it back home. You need not try to get around that. This is a wasteful, useless, foolish throwing away of $75,000 of the folks' money, and if you adopt the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD], that money goes back into the Treasury and is covered back there into the general fund of miscellaneous receipts, and the people get it back into their pockets, thanks be to the patriotic people of Ripon! [Applause.]

Mr. MANN. Mr. Speaker, when the Committee on Public Buildings and Grounds was making up the public-building bill which finally became a law in 1913, our distinguished friend, the gentleman from Wisconsin, made representations to that committee——

Mr. REILLY. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. REILLY. I was not in Congress at that time. It was my predecessor that made the representations.

Mr. MANN. It was your predecessor that I had reference to, although I had not yet named the man. He made representations as to the great need of a post-office building at Ripon, Wis. The Committee on Public Buildings and Grounds was finally forced to believe that the post-office business of the country could not properly be transacted, that there would be a failure in the dispatch and handling of post-office matters, if they did not construct a new building at Ripon, Wis. Evidently the people at Ripon were not familiar with the activities of their Member of Congress, because when they heard that a public building had been authorized at the sweet little town of Ripon, Wis., they looked aghast and said, "What? Is this Nation so rich that it throws money to the birds, and builds a building here where we do not need it?" And they were right. They did not need it.

In the consideration of the Army appropriation bill the Committee on Military Affairs brought in a bill providing for an appropriation of half a million dollars for aviation. The House increased the amount to $2,500,000, or some such amount. There was a considerable agitation of the subject in the country, and the patriotic people of Ripon, Wis., who knew that they did not need a public building there and who believed that the country did need an extension of its Aviation Service, gave to the press a good advertisement, one of the best that has ever gone along the wires, that Ripon, Wis., was willing to abandon the proposal for a public building there if the money could be turned over to the Aviation Service ,and our esteemed friend, the gentleman from Wisconsin [Mr. REILLY], accepted the bluff and introduced a bill.

Well, it had a good effect. One of the great effects of that bill was that the Senate agreed to an amendment increasing the appropriation for the Aviation Service by over ten millions. That ought to satisfy Ripon. [Laughter.] The little, paltry $75,000 which they did not have, which never had been appropriated to them, which they were willing to give up the prospect of obtaining, was nothing compared with the $10,000,000 which was added by the Senate and which we agreed to, making a total appropriation of $13,000,000, where it had originally been proposed at half a million dollars—a reasonable increase of 2,600 per cent. [Laughter.]

Now, all the information we have in reference to the people of Ripon is that they think they do not need a public building. I agree with them. I am willing to accept their statement as to that. But how can they ask us now to appropriate money which never had been appropriated to them, in addition to the $13,000,000 which we appropriated last summer, and the Lord only knows how much it will be this winter, for the Aviation Service?

The SPEAKER pro tempore (Mr. LLOYD). The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Speaker, I ask for five minutes more.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MANN. It only cumbers up the books to make this appropriation in this way. It will probably lessen the amount that the Aviation Corps will receive, because if we take little side bites like this we will get less in the Army appropriation bill, where it belongs.

To me the most instructive lesson about this is not the great patriotism of the citizens of Ripon, Wis., although I admire their patriotism, but the fact that we were led before to authorize the appropriation of money for a public building there which was not needed. If it was needed it is not the business of the people of Ripon to interfere with it. They do not run the post office. They are not the ones primarily interested in the great handling of the mail. They are only a small part of that. The post-office building was not needed there, they say. Likewise we might say that now, with a deficit, according to present income and expected outlay, of $300,000,000 for the next fiscal year—we might say properly to a whole lot of these other small towns—and large ones, too—which do not need the expenditures of the public money for buildings there, that they may go without for a little while. And yet only on Saturday last the distinguished chairman of the Committee on Rules [Mr. HENRY] introduced a rule into the House to make in special order the consideration of the omnibus public-buildings bill—another raid on the Treasury.

Who is to pay the bill? Here is a city that is honest enough to say, "We do not need the money." Let us take them at their word and keep the money where we need it—in the Treasury—and keep it there until it is appropriated in the proper manner.

Mr. REILLY. Mr. Chairman, the gentleman from Illinois [Mr. MANN] has put the people of Ripon in a wrong light by making a statement which in my opinion the record does not justify. There is absolutely nothing in the petition filed in this House or in any statement made by any person entitled to speak for Ripon that the city of Ripon does not need a post office. That question was not raised. It was not considered by the citizens of Ripon when they asked Congress to take from them the appropriation already given for a public building. The point is this: The people of Ripon, regardless of the fact whether or not they need a post office, desire to make a sacrifice in the interest of governmental economy, and to contribute their mite toward the cutting down of national expenditures.

Now, it is true they only had $10,000 at that time. But if that petition had not come in the Secretary of the Treasury

would have incorporated in the appropriation bill for last year a total sum necessary to complete the Ripon building, as is the regular course of proceeding in the Treasury Department; or, at least, if it had not been incorporated in the appropriation bill for last year it would have been in the bill for this year.

But now as regards the question of a bluff. I do not believe there is any ground for thinking that the people of Ripon were bluffing when they asked Congress to devote the funds intended for a building in their city to the national defense. They asked Congress to wipe out entirely all legislation for a public building in their city, and there is no question of a deferred patriotic act about it at all; because whether or not Ripon will get a public building in the future will depend entirely upon what future Congresses may wish to do regarding such a structure in that town. Mr. Speaker, while last year there was a very large sum appropriated for aviation purposes when this bill was introduced, the appropriations for this year for the Army and Navy have not yet been made, and I do not see that it is going to mix matters up, I do not see that it is going in any way to interfere with the development of the Aviation Service at this time to make the appropriation provided for in this bill. The situation as to this bill is most extraordinary; the citizens of a city of 5,000 people, with post-office receipts many times more than those of half the cities included in the public-building bill that will come before this Congress, have patriotism enough and self-sacrifice enough to say to Congress, "Take away our public building. We will not ask for any appropriation at this time, and we will allow the money to be spent for other and more pressing purposes." Such an idea in this day and age of raids on the Public Treasury is something that ought to receive the commendation of Congress and not the ridicule of Congressmen. It would be a great thing if other cities of this land, much smaller than Ripon, would come here and say, "We, too, will defer the pleasure of having a public building in view of the large expenditure needed for the national defense." If such were the case we would not have a public-building bill in this session of Congress.

Mr. TAGGART. Will the gentleman yield?

Mr. REILLY. I yield to the gentleman from Kansas.

Mr. TAGGART. What rent does the Government pay at Ripon?

Mr. REILLY. I do not know, but I do know that the city has a much larger population and postal receipts than many cities in the United States that have costly public buildings.

Mr. TAGGART. I did not mean to embarrass the gentleman at all——

Mr. REILLY. I do not remember just the amount of rent paid.

Mr. TAGGART. The rent paid might indicate that it would be a real economy for the Government to construct a building of its own.

Mr. REILLY. If you are governed by the question of economy, in the matter of constructing post offices, you will wipe out 90 per cent of the public buildings appropriated for in past Congresses.

Mr. SHERLEY. Will the gentleman yield for an inquiry?

Mr. REILLY. Yes.

Mr. SHERLEY. Why does the gentleman want to reappropriate the money for the Aviation Service?

Mr. REILLY. In answer to my colleague from Kentucky, I will simply say that I am endeavoring to carry out the wishes of the citizens of Ripon.

Mr. SHERLEY. Was not that at a time when there had not been appropriated the amount that was appropriated later? Last year we appropriated a little over $13,000,000 for aviation for the Army. I have just finished a hearing on the matter so far as it relates to fortifications, and this $75,000 carried in this bill is a drop in the bucket compared to what the department has on hand unexpended and what it is going to ask and probably receive from the Congress. Why muddy up the whole business with a little bit of an appropriation at this time, when it is not now needed and there is no reason for it?

Mr. REILLY. In answer to the gentleman I will say that the only excuse is the unique and commendable expression of public sacrifice on the part of the citizens of Ripon.

Mr. SHERLEY. I am willing to consent to the sacrifice and to keep the money in the Treasury, but I see no reason for an appropriation of this kind.

Mr. REILLY. In response to the gentleman, I will say that I am here to-day to present the wishes of the citizens of Ripon, and if the amendment of the gentleman from Wisconsin [Mr. STAFFORD] is carried, as I trust it will not be, the bill should not pass, as it will not, in its amended form, express the complete wishes of the citizens of Ripon. I believe Congress can do nothing better at this time than to commend and put the stamp of its approval on the patriotic conduct of the citizens of Ripon in trying to curtail governmental expenditures in this day of enormous demands upon the Public Treasury.

The SPEAKER pro tempore. The question is on the amendment of the gentleman from Wisconsin [Mr. STAFFORD] to strike out section 1.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

Mr. REILLY. Mr. Speaker, I move to strike out the enacting clause of the bill.

The SPEAKER pro tempore. The gentleman from Wisconsin moves to strike out the enacting clause.

The question being taken, on a division (demanded by Mr. SHERLEY and others) there were—ayes 33, noes 49.

Accordingly the motion was rejected.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question being taken, the Speaker pro tempore announced that the noes appeared to have it.

Mr. MANN. I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. BORLAND. I move a call of the House.

Mr. MANN. There will be an automatic call of the House.

The SPEAKER pro tempore. The question is on the passage of the bill. Those in favor will say aye, those opposed no, and the Clerk will call the roll.

The question was taken; and there were—yeas 229, nays 89, answered "present" 3, not voting 112, as follows:

YEAS—229.

Abercrombie	Edwards	Kent	Rowland
Adair	Ellsworth	Kiess, Pa.	Rucker
Adamson	Elston	Kincheloe	Saunders
Anderson	Emerson	Kinkaid	Schall
Anthony	Fairchild	Kitchin	Scott, Mich.
Ashbrook	Farr	La Follette	Sherley
Aswell	Ferris	Langley	Sherwood
Ayres	Fess	Lehlbach	Shouse
Barkley	Fields	Lewis	Siegel
Bell	Fitzgerald	Longworth	Sinnott
Bennet	Focht	Loud	Sisson
Black	Fordney	McArthur	Slayden
Booher	Foss	McClintic	Sloan
Bowers	Foster	McCracken	Smith, Idaho
Britt	Frear	McFadden	Smith, Minn.
Browning	Freeman	McKenzie	Smith, Tex.
Brumbaugh	Fuller	McKinley	Snell
Buchanan, Ill.	Gandy	McLaughlin	Snyder
Buchanan, Tex.	Gardner	McLemore	Stafford
Butler	Garrett	Madden	Steele, Iowa
Byrns, Tenn.	Glynn	Magee	Stephens, Tex.
Callaway	Good	Mann	Sterling
Campbell	Gould	Mapes	Stone
Cannon	Gray, Ala.	Matthews	Sulloway
Capstick	Gray, Ind.	Mays	Sweet
Caraway	Green, Iowa	Miller, Pa.	Swift
Carter, Mass.	Greene, Mass.	Moon	Switzer
Chandler, N. Y.	Greene, Vt.	Moore, Pa.	Tavenner
Charles	Gregg	Morgan, Okla.	Taylor, Ark.
Chiperfield	Hadley	Mott	Temple
Clark, Fla.	Hamilton, Mich.	Mudd	Thomas
Coady	Hamilton, N. Y.	Nicholls, S. C.	Thompson
Collier	Hardy	Nichols, Mich.	Tillman
Connelly	Harrison, Va.	Nolan	Tilson
Conry	Hawley	North	Timberlake
Cooper, Ohio	Hayes	Oakey	Towner
Cooper, W. Va.	Heaton	O'Shaunessy	Treadway
Costello	Hernandez	Overmyer	Vare
Cox	Hollingsworth	Padgett	Vinson
Crago	Hopwood	Page, N. C.	Volstead
Crisp	Houston	Paige, Mass.	Walker
Crosser	Howard	Parker, N. J.	Walsh
Curry	Howell	Parker, N. Y.	Ward
Dale, Vt.	Huddleston	Platt	Wason
Dallinger	Hughes	Powers	Watkins
Danforth	Hull, Iowa	Pratt	Watson, Pa.
Davis, Tex.	Hull, Tenn.	Rainey	Webb
Dempsey	Humphrey, Wash.	Raker	Williams, Ohio
Denison	Hutchinson	Ramseyer	Wilson, Ill.
Dies	Jacoway	Rauch	Winslow
Dill	Johnson, Ky.	Rayburn	Wood, Ind.
Dillon	Johnson, S. Dak.	Reavis	Woods, Iowa
Doolittle	Johnson, Wash.	Ricketts	Woodyard
Doughton	Kearns	Roberts, Mass.	Young, N. Dak.
Dowell	Keating	Roberts, Nev.	Young, Tex.
Dunn	Keister	Rodenberg	
Dupré	Kelley	Rogers	
Edmonds	Kennedy, Iowa	Rowe	

NAYS—89.

Alexander	Gallagher	Littlepage	Russell, Mo.
Allen	Garland	Lloyd	Sears
Almon	Garner	Lobeck	Shallenberger
Austin	Godwin, N. C.	McAndrews	Sims
Bailey	Goodwin, Ark.	McDermott	Steagall
Barnhart	Gordon	McKellar	Stedman
Borland	Harrison, Miss.	Martin	Steenerson
Browne	Hastings	Miller, Del.	Stephens, Miss.
Burnett	Hayden	Montague	Stephens, Nebr.
Carlin	Heflin	Morrison	Stout
Carter, Okla.	Helgesen	Moss	Sumners
Casey	Helm	Murray	Taggart
Church	Helvering	Neely	Taylor, Colo.
Cooper, Wis.	Henry	Nelson	Venable
Cramton	Hilliard	Oldfield	Wheeler
Dent	Hood	Oliver	Williams, T. S.
Dewalt	Hulbert	Olney	Williams, W. E.
Dickinson	Igoe	Park	Wilson, La.
Dixon	James	Quin	Wingo
Doremus	King	Randall	Wise
Esch	Lee	Reilly	
Evans	Lesher	Rouse	
Flood	Linthicum	Rubey	

ANSWERED "PRESENT"—3.

Blackmon	Glass	London

NOT VOTING—112.

Aiken	Dyer	Kahn	Phelan
Bacharach	Eagan	Kennedy, R. I.	Porter
Barchfeld	Eagle	Kettner	Pou
Beakes	Estopinal	Key, Ohio	Price
Beales	Farley	Konop	Ragsdale
Benedict	Finley	Kreider	Riordan
Britten	Flynn	Lafean	Russell, Ohio
Bruckner	Gallivan	Lazaro	Sabath
Burgess	Gard	Lenroot	Sanford
Burke	Gillett	Lever	Scott, Pa.
Byrnes, S. C.	Graham	Lieb	Scully
Caldwell	Gray, N. J.	Liebel	Sells
Candler, Miss.	Griest	Lindbergh	Shackleford
Cantrill	Griffin	Loft	Slemp
Carew	Guernsey	McCulloch	Small
Cary	Hamill	McGillicuddy	Smith, Mich.
Cline	Hamlin	Maher	Smith, N. Y.
Coleman	Hart	Meeker	Sparkman
Copley	Haskell	Miller, Minn.	Steele, Pa.
Cullop	Haugen	Mondell	Stiness
Dale, N. Y.	Hensley	Mooney	Sutherland
Darrow	Hicks	Moores, Ind.	Tague
Davenport	Hill	Morgan, La.	Talbott
Davis, Minn.	Hinds	Morin	Tinkham
Decker	Holland	Norton	Van Dyke
Dooling	Humphreys, Miss.	Oglesby	Watson, Va.
Driscoll	Husted	Patten	Whaley
Drukker	Jones	Peters	Wilson, Fla.

So the bill was passed.

The following pairs were announced:

Mr. EAGAN with Mr. GUERNSEY.
Mr. EAGLE with Mr. HASKELL.
Mr. ESTOPINAL with Mr. HAUGEN.
Mr. FARLEY with Mr. HICKS.
Mr. STEELE of Pennsylvania with Mr. HILL.
Mr. TAGUE with Mr. HINDS.
Mr. GALLIVAN with Mr. HUSTED.
Mr. GARD with Mr. KAHN.
Mr. GRIFFIN with Mr. KREIDER.
Mr. HAMILL with Mr. LAFEAN.
Mr. HAMLIN with Mr. MCCULLOCH.
Mr. TALBOTT with Mr. MEEKER.
Mr. HOLLAND with Mr. MILLER of Minnesota.
Mr. KETTNER with Mr. MONDELL.
Mr. KEY of Ohio with Mr. MOONEY.
Mr. LAZARO with Mr. MOORES of Indiana.
Mr. LEVER with Mr. MORIN.
Mr. VAN DYKE with Mr. PETERS.
Mr. LIEBEL with Mr. PORTER.
Mr. WATSON of Virginia with Mr. RUSSELL of Ohio.
Mr. WHALEY with Mr. SCOTT of Pennsylvania.
Mr. MAHER with Mr. SELLS.
Mr. POU with Mr. SLEMP.
Mr. BEAKES with Mr. DRUKKER.
Mr. BRUCKNER with Mr. COPLEY.
Mr. BURKE with Mr. CARY.
Mr. RAGSDALE with Mr. BENEDICT.
Mr. JONES with Mr. BRITTEN.
Mr. PHELAN with Mr. KENNEDY of Rhode Island.
Mr. DECKER with Mr. SANFORD.
Mr. KONOP with Mr. STINESS.
Mr. SABATH with Mr. NORTON.
Mr. BLACKMON with Mr. DYER.
Mr. HENSLEY with Mr. TINKHAM.
Mr. RIORDAN with Mr. BACHARACH.
Mr. SCULLY with Mr. BARCHFELD.
Mr. SHACKLEFORD with Mr. BEALES.
Mr. CALDWELL with Mr. COLEMAN.
Mr. CANDLER of Mississippi with Mr. DARROW.
Mr. CANTRILL with Mr. DAVIS of Minnesota.
Mr. CAREW with Mr. FOCHT.
Mr. SMALL with Mr. FREEMAN.
Mr. DALE with Mr. GILLETT.
Mr. SMITH of New York with Mr. GRAHAM.
Mr. DOOLING with Mr. GRAY of New Jersey.
Mr. DRISCOLL with Mr. GRIEST.
Mr. OGLESBY with Mr. SMITH of Michigan.
Mr. PATTEN with Mr. SUTHERLAND.

Mr. BLACKMON. Mr. Speaker, I am paired with the gentleman from Missouri, Mr. DYER. I voted "aye." I wish to withdraw that vote and answer "present."

The name of Mr. BLACKMON was called, and he answered "Present," as above recorded.

The result of the vote was then announced as above recorded.

The doors were opened.

On motion of Mr. MANN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore (Mr. LLOYD). The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14973) to amend an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases," approved April 22, 1908, and amended April 5, 1910.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Reserving the right to object, I think I shall object to the bill.

Mr. TAGGART. Will the gentleman reserve his objection?

Mr. MANN. I have reserved it.

Mr. TAGGART. Mr. Speaker, this bill is simply to amend two sections of the employers' liability act of April 22, 1908. Under the act an employee who brings an action against a railway company for injuries received while in discharge of his duty will not be held guilty of contributory negligence if the railway company at the time was violating, as the act says, "any statute." The Supreme Court held in the Horton case, Two hundred and thirty-third United States, that that expression "any statute" relates only to any Federal statute, and the only amendment in that respect is to put in three words, the words "State or Federal," so that it will read: "The violation of any State or Federal statute."

The only other amendment of any importance is to leave out of the act the doctrine of the assumption of risk. An employee will not now be held to assume the risk of his employment if the railway company at the time of the injury was violating a statute, which the Supreme Court says must be a Federal statute. The amendment is to leave that entirely out and abolish the doctrine of the assumption of risk so that the defense of assumption of risk will not be available as against an action brought by an employee of a railroad company engaged in interstate commerce.

The only other amendment is a new section which simply provides that in any suit brought against a railway company that is engaged in interstate commerce it shall be presumed, prima facie, that the employee who brings the suit was at the time of the injury himself engaged in interstate commerce. It would be extremely difficult for an employee to prove that he himself might be engaged in interstate commerce. The new section puts the burden on the company to deny that the employee was engaged in interstate commerce.

So that the three points in difference in this bill and the act are first: Contributory negligence having been now partially abolished as a defense in this that it may diminish the amount of damages, will not be available at all as a defense if the railway company was violating a State or Federal statute. The second one is that the doctrine of the assumption of risk shall not be applied to any case where the employee brings suit for damages against a railroad company in interstate commerce. In short, as I said, it abolishes the doctrine of the assumption of risk which many authors have condemned and many jurists have denounced as cruel and inhuman.

The third one is simply to relieve the plaintiff of the burden of proving the character of the commerce he is engaged in, which in some cases might be so burdensome as to cost more than the case was worth, whereas the information is immediately available and well known to the railroad company.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I think I should fully agree with the gentleman from Kansas [Mr. TAGGART] and the committee in reference to the proposed addition to the statute which proposes to make it prima facie evidence that the carrier was engaged in interstate commerce when an injury occurred to an employee; but we have a law now that provides that if the railroads violate the act of Congress which

provides for safety devices, and so forth, they are responsible wherever they injure one of their employees. It is thought now to add to that that if they violate a State law the same thing shall hold. I can not quite understand why we, having full power over the safety devices of the railroads, should say that we will punish the railroad company for violating a State law upon the subject. If there is additional legislation needed we can enact it. I do not think there ought to be one rule for a railroad employee in the State of Illinois, another in the State of Iowa, another in the State of Nebraska, and another in the State of Colorado simply because a railroad runs through those States, that rule fixed by us.

Mr. TAGGART. The liability, as the gentleman of course knows, is not and can not be founded on any State statute. The State statute simply may be introduced in evidence as showing that the railroad company violated its duty with respect to the safety of employees.

Mr. MANN. Not at all.

Mr. TAGGART. In accordance with the law of that State. For instance, we do not demand by Federal statute that a certain kind of track shall be maintained, and that it shall be up to a certain standard, but the State is at full liberty to insist upon a certain standard of safety and safety devices, and of tracks and machinery, and of inspection of machinery. If the railroad company violates that, why should it not be proper to go into the court with the statute and with proof that at the time the employee was injured the railroad company was disregarding the law of the State through which its train was passing, and that the employee had a right to rely on the fact that the law of that State would be scrupulously obeyed, and that he did not assume the risk of its violation?

Mr. MANN. He can do that now. There is nothing to prevent that. What the gentleman seeks to do is to make a technical violation of any State law upon the subject absolute proof of negligence on the part of the railroads—not prima facie, but conclusive.

Mr. TAGGART. I do not think the bill so reads.

Mr. MANN. The tendency is to centralize the legislation concerning railroads, because the roads run through a great number of different States, and the tendency is for Congress to assume the control over those matters where we have the jurisdiction. This bill seeks to relegate to the States the control which we do exercise and which we should exercise and probably should exercise to a greater degree than we do.

Mr. TAGGART. This does not stop Congress from going ahead and making any regulation it pleases with reference to interstate commerce, and, as the gentleman said, it does not interfere with the State making any regulation it pleases with respect to safety in that State and holding the railroad company responsible for it; but what did Congress mean when it said the violation "of any statute"? That was the old law.

Mr. MANN. It meant United States statute.

Mr. TAGGART. That is what the Supreme Court found.

Mr. MANN. That is what was meant when it was passed.

Mr. TAGGART. We are trying to make the meaning of Congress explicit.

Mr. MANN. It is explicit now.

Mr. TAGGART. It was not so understood evidently by those who voted for it.

Mr. MANN. I think it was fully understood by those who voted for it.

Mr. TAGGART. When a law says that the violation of any statute shall prevent a railroad company from making the defense of contributory negligence or assumption of risk, it seems to me any statute might be invoked and brought into court and shown to the court, even if it be a State statute. We passed a bill through the House here at the last session of Congress that fixed the measure of expenditures in elections in the different States of Members of the House and Senate according to the State statutes. This does not assume to legislate for any State.

Mr. MANN. No; this assumes to abandon the jurisdiction of Congress over these matters, and have a different rule in each of the 48 different States of the Union. I do not think it is the proper thing to do.

Mr. TAGGART. The gentleman, of course, remembers that that amendment that was enacted in 1910 gives the State court jurisdiction to administer that very statute?

Mr. MANN. Yes.

Mr. TAGGART. The State courts take judicial notice of the statutes of their own States, and the way we have it now a State court can not avoid judicial notice of the statute of its own State, and when it administers that statute what will it say if the railway company was violating a statute of the very State in which it is sitting? Of course, I do not wish to argue with the gentleman.

Mr. MANN. It seems to me the gentleman is arguing himself out of court.

Mr. TAGGART. We are trying to remedy the defect that the Supreme Court found in the statute and amend it.

Mr. MANN. I do not think that there is any such defect in the statute. I helped to pass a number of these safety-device bills, and the main purpose of putting this provision into the law was to force the railroad companies to adopt the safety appliance.

Mr. TAGGART. Leaving that out, has the gentleman any objection to that part of the statute which abolishes the assumption of risk?

Mr. MANN. Well, that is very much the same thing——

Mr. TAGGART. Suppose we take out the State statute feature, preserving the language of the statute almost as it is now, but leaving it so that the doctrine of the assumption of risk shall not hereafter apply?

Mr. MANN. Well, we have jurisdiction over matters over which Congress has authority. We have the authority to require the railroad companies to equip themselves with safety appliances. We have already abolished the assumption of risk where the damage occurs through the failure of the railroad companies to adopt the appliances which we have required. I do not think we have any further jurisdiction over that.

Mr. TAGGART. The assumption of risk is abolished now where a railroad company is violating a Federal statute of any kind at the time the employee is injured.

Mr. MANN. I understand; and I say the two propositions are similar.

Mr. TAGGART. Well, does the gentleman object or not object?

The SPEAKER. Is there objection to the request?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar.

COMMUNITY FORUMS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14819) to provide for the use of public-school buildings in the District of Columbia as community forums, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent——

Mr. EMERSON. Mr. Speaker, I withdraw the request temporarily.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none, and the Clerk will read the bill. This bill is on the Union Calendar.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that this bill may be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the Committee on the District of Columbia gave way the other day. I think the intention was to bring up this bill, which is an important measure, and I think it ought to be considered in the committee, and I therefore object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. LLOYD. Let it go over, then.

Mr. MANN. We have already given unanimous consent for the consideration of it.

Mr. OAKEY. Mr. Speaker, I would ask that it be passed over, then.

The SPEAKER pro tempore. The House has already given unanimous consent for the present consideration of the bill.

Mr. MANN. Objection has been made to the consideration of the bill in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. And it is in order to move that the House go into Committee of the Whole House on the state of the Union for the consideration of the bill.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering this bill.

The question was taken, and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14816, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14816) to provide for the use of public-school buildings in the District of Columbia as community forums, and for other purposes.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That, upon written application so to do, signed by not less than 20 adult persons residing in the vicinity of any public school building in the District of Columbia, all of said persons being parents of children enrolled as pupils in said public school, the board of education shall define and fix the territorial limits within which adult persons must reside to entitle them to participate as members in the organization which may be formed, as hereinafter provided, to use said public school building as a community forum, and shall announce, through publication in one daily newspaper in the District of Columbia, the date and hour of a meeting to be held in said public school building, which date and hour shall be not less than one week nor more than two weeks after the filing of the application, and shall make all necessary arrangements and regulations for the comfort and convenience and good order of the assembly of adult persons for said meeting, and shall direct the superintendent of schools or the principal of the school in which the meeting is to be held to call the meeting to order and to serve as clerk until it shall have been decided by a majority of those present and, by residence in the territory described by the board of education, qualified to vote that the public school building is not to be used as a community forum, or until the organization of adult persons to use the public school building as a community forum shall have been properly constituted as hereinafter provided.

SEC. 2. That if the proposal to use the public school building as a community forum is approved at the meeting provided for in section 1, the adult persons, by residence in the territory described by the board of education qualified so to do may proceed to organize and elect necessary officers and prescribe and adopt by-laws and regulations for the conduct of the meetings of said community forum. The by-laws and regulations as adopted shall show that the primary object of the organization is public education through the open representation and orderly free discussion of public questions, and nothing contained in the by-laws and regulations shall limit the attendance or membership of adult persons otherwise than as provided in section 1. The by-laws and regulations shall authorize and provide for the principal of the school building or a person nominated by the principal to serve as executive secretary of the organization.

SEC. 3. That when an organization of adult persons shall have been formed and by-laws and regulations adopted, as provided in the preceding sections, it shall be the duty of the board of education to make all necessary arrangements and provisions for the weekly, biweekly, or monthly meetings of such organizations at such times as the organization may designate for its meetings. Amendments to the by-laws and regulations not in conflict with the provisions of section 2 of this act may be made from time to time as the organization may deem necessary. No public-school room shall be used under the provisions of this act during such hours as it is in use for the instruction of pupils, and the board of education may make such other regulations as it may deem necessary to protect the physical property from abuse.

SEC. 4. That whenever a public-school building shall have been established as a community forum under the provisions of this act, and upon request to the board of education so to do by the majority of the adult persons present and qualified to vote at any regular meeting, the said board shall designate such building as a community center for the organized training and recreation of the young people of the community, including such activities as may be requested by the said adult organization and approved by the said board, and shall make all appropriate and necessary arrangements for the convenient and proper use of the building for community center meetings and activities at such times as the said adult organization may request and the said board approve. The executive secretary provided for in section 2 of this act shall serve as director of community center meetings and activities and shall be responsible to the board of education for rendering this service. The said executive secretary shall be provided with two assistants, one male and one female, who shall under the said executive secretary be charged with organizing and directing the community center meetings and activities provided for in this section.

SEC. 5. That the executive secretary authorized by this act for each public-school building established and used as a community forum or as a community forum and community center under the provisions of this act shall be entitled to compensation at the rate of $4 for secretarial service rendered at and in connection with each meeting of such community forum and at the same rate for directoral service rendered at and in connection with each meeting of such community center, and the two assistants herein authorized for each building used as a community center shall receive for their services compensation at the rate of $2 for each meeting of such community center: *Provided*, That not more than $4 shall be paid any executive secretary, and not more than $2 shall be paid any assistant for services rendered under the provisions of this act in any one day, and that compensation shall be paid only for services actually rendered at and in connection with meetings of community forums and community centers.

SEC. 6. That it shall be the duty of the board of education to provide, out of appropriations of public funds authorized for the public schools of the District of Columbia, light, heat, janitor service, and such other incidental expenses as may be necessary to enable the comfortable and convenient use of public-school buildings as community forums and community centers under the provisions of this act; and hereafter the board of education shall include in its annual estimates of appropriations for the public schools such sum or sums as may be required for the payment of compensations and expenses authorized by this act. To provide until June 30, 1917, for the payment of expenses and compensations authorized by the act, including additional compensation for janitors and for extra janitor service when necessary, there is hereby appropriated the sum of $15,000, one-half out of any moneys in the Treasury not otherwise appropriated and one-half from the revenues of the District of Columbia.

SEC. 7. That all laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

Mr. JOHNSON of Kentucky. Mr. Chairman, I yield to the gentleman from Connecticut [Mr. OAKEY].

Mr. OAKEY. Mr. Chairman, I believe that this is a good bill and ought to become a law. Of course, it is readily seen it is simply another opportunity of education. I had the pleasure of hearing the distinguished Speaker of this House say the other night, quoting, I believe, Emerson, that America was another word for opportunity. This public-forum bill is intended to be written for a community opportunity, for a municipal opportunity. I believe, Mr. Chairman, that the forum of the cross-road grocery store, established in our fathers' time, was a great advantage to the education, enlightenment, and information of the various communities of our land. I believe that the old New England habit of town meetings was one of our greatest and best institutions, where the people of each community could assemble and discuss their difficulties, their troubles, and their problems. If there is any place, it seems to me, in America where such an institution as proposed by this bill would be of great advantage this is the place, this is the municipality, this is the community. We are spending a great deal of money. We are giving a great deal of thought, and I believe wisely, toward making this Capital City of our Republic worthy of a congregation of 100,000,000 people. We are endeavoring to beautify it in every possible way, to render it a monument not only of beauty but in every way fitting for our great Capital home. Naturally many public questions originate in the Capital City, naturally such a city is inhabited, at least a large part of the time, by men and women who inaugurate great public questions, institute great plans for the welfare and consideration of our people. This bill, my colleagues, simply asks that under proper organization, under proper restriction, the men and women of Washington shall have the opportunity to use their schoolhouses for public education, for public instruction, to get together and consider the welfare, the well-being, and the uplift, if you please, of each community. I believe that not only in Washington, but in every community of America such a thing, properly restricted and handled, can not help but advance the public welfare. I hope this bill will pass.

Mr. FOCHT. I would like to ask the gentleman a question before he sits down.

Mr. OAKEY. I yield to the gentleman.

Mr. FOCHT. I would like to inquire, with a view to the enlightenment of the House, as to what restriction there is with reference to the use of the public schools on Sunday for these forum meetings?

Mr. OAKEY. I do not think the question of Sunday is embodied in the bill at all.

Mr. FOCHT. Then they would be open for use on Sunday afternoons for various political meetings and other entertainments as might be permitted to be held there?

Mr. OAKEY. Under the restrictions of the organization of the community which would consider that. Of course they would not be open for political meetings on Sunday.

Mr. FOCHT. They could do so, as they have in New York and elsewhere, and up in some New England States, where they have had riots on Sunday afternoons.

Mr. OAKEY. I know of no New England State that has had a community forum where political matters are considered on Sunday.

Mr. FOCHT. I could bring you an account of a riot that occurred up there within the year on Sunday, which was thoroughly discussed in the committee meeting, although the gentleman may not have been present. Would you object to having this bill amended so it would exclude Sunday?

Mr. OAKEY. I certainly would not.

Mr. FOCHT. You do not object to it?

Mr. OAKEY. I do not.

Mr. FOCHT. Would the chairman of the District Committee object to excluding Sunday?

Mr. JOHNSON of Kentucky. Yes; I would; because I think there are many questions which can be discussed on Sunday without violating the sanctity of that day, and the limitations in the bill are ample.

Mr. FOCHT. You heard the protest before the committee of religious and other bodies against having the schools opened up for public use. You were there, and are the chairman, and therefore you know that there is a strong sentiment against it. Consequently, I feel constrained to say that I shall have to oppose the bill unless you restrict it in the manner in which I have indicated.

Mr. OAKEY. It would be very unfortunate to have the gentleman from Pennsylvania oppose it; but, of course, we have to face such calamities. [Laughter.] He quotes New England, and seems to be familiar with that section. I remember very well only a short time ago when he was trying to illustrate to

the House how difficult it was to find in some communities people who spoke the English language, and he was unfortunate enough to cite the city of New Haven, when I told him that I had direct information that they still spoke English in Yale University. And now he cites New England as holding public riots on Sunday. I have lived there for some time and I have never heard of it. My friends, I believe that the New England town meeting was a great institution, simple and plain as was its conduct, where as neighbors sometimes, as political foes at other times, religiously opposed, we got together and discussed our public problems, our public questions, to the enlightenment and advancement of each community.

Mr. MAPES. Will the gentleman yield?

Mr. OAKEY. I certainly will yield to my colleague on the committee. However, first permit me to state that the chairman calls my attention to section 4, which explicitly states:

The said board shall designate such building as a community center for the organized training and recreation of the young people of the community, including such activities as may be requested by the said adult organization and approved by the said board, and shall make all appropriate and necessary arrangements for the convenient and proper use of the building for community-center meetings and activities at such times as the said adult organization may request and the said board approve.

Mr. JOHNSON of Kentucky. And that leaves it under the control of the board?

Mr. OAKEY. That leaves it under the control of the board as to the character of the meetings and the days on which they shall be held.

Mr. LLOYD. Mr. Chairman, that leaves it to the board, as I understand it, with reference to its use as a community center, not as a community forum. As a community forum it is under the control of the organization; as a community center it is under the control of the board.

Mr. JOHNSON of Kentucky. That is true.

Mr. MAPES. The only change in this bill, then, over the operation under the present law, which was passed March 4, 1915, is to authorize communities to open the buildings on Sunday, is it not?

Mr. OAKEY. Oh, no. It is the right of this community organization, when the conditions of the bill are complied with, to insist upon the opening of these schools for regularly organized meetings of this association. It is not whether it is Sunday or Saturday night.

Mr. MAPES. To carry out the suggestion, or the thought, perhaps, of the gentleman from Pennsylvania [Mr. FOCHT], on March 4, 1915, a law was enacted and approved authorizing the board of education to open the school buildings for certain purposes, and those buildings have been opened by the board of education upon the request of people of different communities for different purposes universally, except in the one refusal to open the buildings on Sunday. Is not that correct?

Mr. OAKEY. I am not informed as to the correctness of that statement. I am perfectly surprised if it is so, because in my experience and thought upon the subject the Sunday question has not been proposed in any way whatsoever. This bill is to give a community forum, under proper organization and restriction, the right to use these buildings for educational, sanitary, and helpful purposes.

Mr. MAPES. I will say to the gentleman that that was the testimony before the committee, but perhaps he was not there at that particular time.

Mr. WALSH. Will the gentleman yield?

Mr. OAKEY. Yes. I am delighted to yield to the gentleman from Massachusetts.

Mr. WALSH. I would like to ask the gentleman from Connecticut if his committee received any information as to the nature and kind of public questions which would be discussed for the purpose of public education in these gatherings? What sort of questions will these people who want to inaugurate this system want to discuss?

Mr. LLOYD. May I answer the question?

Mr. OAKEY. The gentleman from Missouri [Mr. LLOYD] will answer the question.

Mr. LLOYD. The testimony before the committee was that it was the purpose to use them for anything they desired, and they can have any speakers they choose and speak on any kind of subject. It is an open forum for the discussion of any public question.

Mr. FOCHT. At any day?

Mr. LLOYD. At any day.

Mr. WALSH. Whether educational or otherwise?

Mr. LLOYD. Yes, sir.

Mr. OAKEY. Of course, the organization has it under control. They will not invite them.

Mr. WALSH. How can you keep them out, according to the provisions of section 2?

Mr. MEEKER. Mr. Chairman, will the gentleman yield for a question?

Mr. OAKEY. I can not yield to two men at the same time.

Mr. MEEKER. Does the gentleman believe that the right of free speech still exists in America?

Mr. OAKEY. I hope so.

Mr. MEEKER. And so do I.

Mr. OAKEY. And I hope that our public schools are the places for that.

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. OAKEY. Yes.

Mr. PAGE of North Carolina. Of course, the gentleman is familiar with the agitation for these forums in the various school centers of the District. Does not the gentleman know that the experiment in holding these forums during the last fiscal year and during the last session of Congress showed that they were all held on Sunday afternoon, and that there has not been one projected for any other day in the week? Or in other words, that the distinct purpose of those having this legislation in charge is to have these meetings held on Sundays?

Mr. OAKEY. I do not think that that is true, sir. I think that they were held for other purposes.

Mr. CROSSER. Mr. Chairman, will the gentleman yield?

Mr. OAKEY. Yes.

Mr. CROSSER. The fact is, if the gentleman from North Carolina will permit me——

Mr. PAGE of North Carolina. I am seeking information.

Mr. CROSSER. I have spoken at these meetings on several days in the week other than Sunday, and the chairman of the Committee on the District of Columbia has attended them.

Mr. OAKEY. The distinct purpose, as brought out by those interested in education in Washington—many of them connected with the schools—was the exact opposite of that—that they were to be used every day in the week and for educational purposes entirely.

Mr. PAGE of North Carolina. I did not catch all the answer that the gentleman from Ohio [Mr. CROSSER] gave to my question, that he addressed these forum meetings on other days than Sunday, and so did the chairman of the District of Columbia Committee. Perhaps those meetings were held on those days in deference to the views of other gentlemen; but others of us were invited and did address them on Sunday afternoon.

Mr. JOHNSON of Kentucky. I have never addressed one, but I have attended them.

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr. OAKEY. Yes.

Mr. KING. I would like to ask the gentleman if there was any particular activity on the part of the single land taxers in the District of Columbia in behalf of these forums before the committee?

Mr. JOHNSON of Kentucky. I can answer the question for the gentleman from Connecticut and say the subject was not mentioned, so far as I can recall.

Mr. OAKEY. It may be that the single land taxers will get in and meet in them; probably the prohibitionists will; probably the Socialists will. Possibly our colleague, Brother LONDON, will address Socialist meetings. But, my friends, these things are proposed under this bill to be under proper restriction of the local organization, and they can not help but redound to the enlightenment and advancement of the best thought of this community.

Mr. EMERSON. Mr. Chairman——

Mr. JOHNSON of Kentucky. Does the gentleman from Ohio desire me to yield to him?

Mr. EMERSON. Yes. I would like to have 10 minutes.

Mr. JOHNSON of Kentucky. Mr. Chairman, I yield to the gentleman 10 minutes.

Mr. EMERSON. Mr. Chairman, at the outset I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. EMERSON. Mr. Chairman and gentlemen of the House, in support of the resolutions that I have introduced into this House I now desire to address the House and to call the attention of the Members to the most serious problem that now confronts the American people.

THE HIGH COST OF LIVING.

Four years ago the Democratic Party in its platform called the attention of the country to the fact that the high cost of living was a serious problem in every American home.

If it was a serious problem then, how much more serious it is now. In fact, Mr. High Cost of Living is holding sway now as

he never did before. The prices of food products have advanced in many instances more than 50 per cent over what they were four years ago. With our great rural population migrating to the cities it is going to be a very serious problem in the future, unless the Congress of the United States does something to relieve the situation.

After a careful study of the situation, I believe there are several causes that enter into our present unfortunate situation as regards food prices:

First. Cold-storage warehouses, that receive and hold the necessary food products for higher prices, thus keeping these products away from the market. Some legislation should be enacted by Congress to render this impossible. Laws should be enacted that would require these cold-storage warehouses to report to the Government the time of receiving food products; also the kind of food products received and the quantity. Laws should be enacted that would prevent the holding of these necessary food products for a long period of time, thus forcing the placing of such food products upon the market after holding them for a reasonable time.

Second. Large quantities of wheat and other food products are now optioned and held for foreign markets. These food products are now in warehouses in this country and subject to the laws of this Nation. It is the duty of Congress first to use these food products for the benefit of the people of this country. The first duty of the Government of the United States is to the people of the United States, and not to some foreign government or people.

Third. The wrong ideal is held up to the American youth.

The ideal that is held up to the American school boy and girl is the glare of the lights of the great city.

The American schoolgirl has ambitions to shine in the social world.

The American schoolboy has ambitions to shine in the great financial world.

There should be some encouragement by Congress, and even by the legislatures of the several States, to encourage the "back-to-the-farm" idea.

The idea of most men who have lived in the city for many years is to go back on the farm. I have as many demands for information concerning agricultural subjects from people who live in the large city of Cleveland as I do from people who live in the country districts.

If this idea prevails in the later years of our lives, why should it not be encouraged in the youth?

I strongly favor the use of the public lands for this purpose. Take, for instance, persons suffering with lung trouble, who are a burden and expense to society, the Government should provide some place in some western State where the climate is favorable for these unfortunate people to go, and where they could work out of doors and not only improve their health but actually be a help to society.

Make them producers instead of consumers.

The poorer classes the Government should aid by establishing them in homes, with a parcel of land to work.

Immigrants should be encouraged to go to the farm instead of remaining in the cities that are now overcrowded.

One good thing this Congress will do is to pass the vocational-education bill, and I hope that agriculture in its higher and more remunerative form will be encouraged.

More money is made upon the farm, if it is managed right, than is made by over 90 per cent of the people who live in the city.

Fourth. The real great cause of the high cost of living can be settled when we enact legislation concerning the subject of transportation, and I refer to the subject of the transportation of food products. There are in parts of the United States thousands of bushels of apples that are rotting on the ground and never will reach the market. There are thousands of bushels of potatoes that will never reach the market. Why is this necessary? Why is it possible with the prices of potatoes and apples as high as they are?

As an illustration, I desire to compare the price of eggs the same month and year according to the report of labor statistics in some of our large cities.

January, 1915:	Cents.
Baltimore	30
Boston	50
Chicago	37
El Paso	35
Salt Lake City	45
Washington	50
Seattle	32
Newark, N. J.	60
New Haven	32
New York	56
Los Angeles	32
Louisville	30
Kansas City	25

These figures are per dozen.

I also wish to submit the price of potatoes, in accordance with the same report in January, 1915, in different sections of the United States:

North Atlantic division	$0.84
South Atlantic division	.91
North Central division	.78
South Central division	.93
Western division	1.40
United States	.91

These figures show conclusively that transportation could at least go a long way in solving the high cost of living.

Congress must enact some legislation making it possible for the man in the city to send out into the country and have his food products shipped in to him by parcel post.

I wish to submit, at this point, a letter from Frank S. Krause, of Cleveland, Ohio, who has studied this question as much as any person in this country.

Letter from Frank S. Krause, of Cleveland, Ohio:

NOVEMBER 24, 1916.

Congressman EMERSON, *Washington, D. C.*

DEAR EMERSON: I started on the 22d to dictate a letter covering the contents of this one, but press of business prevented its going forward until now.

On the evening of the 22d we formed what I consider the nucleus to a national campaign for a remedy of the conditions of prices and supply of necessities. It took the form of an organization to be known as the Government Control of Necessities Club, and its officers are as follows:

Frank S. Krause, president; J. W. Ruthenberg, vice president; H. S. Wood, director; T. J. Jackman, director; Grover Hasford, legal adviser.

The name of the club sets forth clearly its object, and it is our belief that the greatest present benefit possible to the largest number of people must come from clear-headed application by the Government. It covers not alone the control of cold storage and other store houses, but necessities in general.

Our idea also embodies Government assistance in districts where overwhelming crops happen by supplying packages and help so that every iota may reach some district where they were less fortunate.

Government control of cold-storage food warehouses means the gaining of the confidence of the farmer, and they will soon learn as individuals or as groups to pack there at that time unmarketable at a profit products direct to the storage house, receiving a certificate therefor, which would enable them to make sales when the market is right.

Under these conditions everything would be saved and a normal price maintained. The advantage to the Government itself would be that any time the President of the United States desired to know just what necessities we possess he could do so from a central point at Washington or elsewhere by getting a report from his men in charge. These men in a way would for the Government be the builders of the greatest foundation for preparedness that ever was thought of, for with plenty upon which to subsist the matter of other preparations is very simple.

I hope you get my idea, and it is broadly this: It will do away with foodstuff gambling, protect the people against uneatable and unhealthy food; it will equalize by distribution and give equal chance to everyone to get his share; and, above all, it will carry out the dream of the inventor, Charles Tellier, that everything good of the world could be had everywhere in the world no matter where produced. Pages might be covered with the advantage of this move to the people, but I think the aforegoing is sufficient to create thought.

I would be pleased to keep you informed from time to time and trust you will put your best efforts forward at Washington along this line.

Respectfully, yours,

FRANK S. KRAUSE.

Cooperation between the producer and the consumer should be encouraged by the Government in every way possible.

Every agency of the Government should be used to bring the producer and consumer more closely together.

The market house does this to a great extent, but all farmers can not go to market. Those who live near the market can easily haul their produce to market; but the farmer who lives a long way from the market, and especially where the roads are bad most of the year, can not so easily bring his produce directly to the consumer. Good roads have done a great deal to bring the farmer and city man more closely in touch with each other.

But the greatest agency the Government has to bring these remote farmers in touch with the consumer in the city is our Parcel Post System.

A system could be worked out whereby the city man could write the country postmaster and be placed in touch with a list of farmers whose names have been left with the postmaster who have produce to sell. Newspapers could be used for this purpose. In a short time communication would be easy between the people in the city and those in the country.

The middle man, who gets the larger part of the profit, would soon be a relic of other days, as things would soon adjust themselves along these lines.

The zone system could be enlarged or abolished, the cost of transporting could be reduced, and the size of the parcel increased.

I wish at this point to submit a short article from the Alfalfa Journal on the egg situation:

$2,500,000 EGG LOSS.

From a quarter to half of the eggs laid in the Middle West during the summer time are a total loss, amounting to $2,500,000 loss for the

State of Missouri alone. This may easily be saved under ordinary farm conditions, according to the test recently made at the Missouri Agricultural Experiment Station. Eggs should be given practically as good care and careful marketing as butter, although they do not show the effects of poor handling quite as plainly.

Also a report on the condition of the cattle in this country:

[From report issued by the United States Secretary of Agriculture.]

Year.	Number of cattle per 100 population.	Number of sheep per 100 population.	Number of swine per 100 population.	Pounds fresh beef exported by United States.	Pounds fresh beef imported by United States.	Number of cattle lost by disease and exposure.
1900	89	81	85	329,078,609	.....	1,477,329
1910	67	57	65	75,729,666	.....	2,385,544
1911	65	57	70	42,510,731	.....	1,996,152
1912	61	55	69	15,264,320	.....	2,497,581
1913	58	53	63	7,362,388	.....	1,956,851
1914	57	50	60	6,394,404	180,137,183	1,737,387
1915	58	50	65	170,440,934	184,490,759	.....

Year.	Beef slaughtered.	Veals slaughtered.	Pounds beef eaten by each person.	Pounds veal eaten by each person.
1900	12,978,000	5,831,000	96	10.7
1909	13,611,422	6,515,976	91.7	8.2

If a foreign foe had landed upon our soil, the Government would easily and hastily enact legislation to resist their advance. Why should not the Government, which is the people, now enact legislation to prevent this continued increase of the high cost of living? And here I desire to submit a report of the Bureau of Labor Statistics on the subject of the increase in food prices in the last five years.

The following table shows the average money prices and the relative prices of the same 26 articles on June 15 of each year from 1912 to 1916:

Average money retail prices and relative retail prices of food on June 15 of each year, 1912 to 1916.

[The relative price shows the per cent that the average price on the 15th of June in each year was of the average price of the year 1915.]

Article.	Unit.	Average money price June 15—					Relative price June 15 (average for the year 1915=100)—				
		1912	1913	1914	1915	1916	1912	1913	1914	1915	1916
Sirloin steak	Pound	$0.237+	$0.258−	$0.260+	$0.260+	$0.286−	93+	101−	102+	102−	112+
Round steak	do	.205−	.223−	.234+	.232+	.257+	90+	98+	103+	102	113+
Rib roast	do	.194	.200	.204	.202	.224	97+	100+	102−	101+	112−
Chuck roast	do	.....	.....	.171−	.164+	.180+	.....	.....	106−	102	112−
Plate boiling beef	do	.....	.....	.125+	.123−	.134+	.....	.....	103−	101	110−
Pork chops	do	.191+	.209+	.218−	.207+	.232−	94−	103−	107−	102−	114+
Bacon, smoked	do	.246−	.276−	.273+	.273+	.292+	90−	101+	100+	100−	107
Ham, smoked	do	.243−	.271+	.266−	.258+	.292−	94−	105−	103+	100−	113+
Lard, pure	do	.148−	.158+	.154−	.151−	.172−	100+	107	104+	102+	116
Hens	do	.200−	.219−	.221−	.210+	.244−	96−	105+	106−	101+	117−
Salmon, canned	do	.....	.....	.....	.200	.202	.....	.....	.....	100−	101−
Eggs, strictly fresh	Dozen	.261+	.275−	.278+	.265−	.295−	78−	82−	83−	79−	88
Butter, creamery	Pound	.339−	.353−	.339−	.349+	.367+	94+	98+	94−	97−	102−
Cheese	do	.....	.....	.....	.233+	.245−	.....	.....	.....	101−	106−
Milk, fresh	Quart	.087+	.090	.090	.089+	.090	97−	100−	100+	99+	100
Flour, wheat	½ barrel bag	.873−	.803−	.793−	1.033+	.933+	87+	80+	79−	103+	93+
Corn meal	Pound	.030+	.028+	.030−	.031+	.031+	96−	91−	95+	100+	100−
Rice	do	.....	.....	.....	.091−	.091−	.....	.....	.....	100+	100+
Potatoes	Peck	.438−	.268+	.339+	.254+	.429−	191−	117−	148+	111−	187
Onions	Pound	.....	.....	.....	.040−	.054+	.....	.....	.....	116	157−
Beans, navy	do	.....	.....	.....	.076−	.096−	.....	.....	.....	98−	124
Prunes	do	.....	.....	.....	.133−	.130+	.....	.....	.....	100+	98+
Raisins, seeded	do	.....	.....	.....	.126−	.127−	.....	.....	.....	100−	101+
Sugar, granulated	do	.063+	.053+	.051+	.069+	.087+	96−	81−	78−	105+	132−
Coffee	do	.....	.....	.....	.302−	.302−	.....	.....	.....	100+	100−
Tea	do	.....	.....	.....	.551+	.551+	.....	.....	.....	100−	100+
All articles combined		.....	.....	.....	.....	.....	96−	96+	98+	98	109+

A comparison of prices on June 15 from year to year shows an increase in the price of all food combined of 14 per cent from June 15, 1912, to June 15, 1916. There was approximately no change from June 15, 1912, to June 15, 1913; 2 per cent from June 15, 1913, to June 15, 1914; no change from June 15, 1914, to June 15, 1915; and a jump of 11 per cent from June 15, 1915, to June 15, 1916.

Potatoes declined 2 per cent from June 15, 1912, to June 15, 1916, being the only article which was not higher on June 15, 1916, than on the same date five years earlier. Flour, corn meal, prunes, and coffee were the only articles lower in price on June 15, 1916, than on the same date one year earlier, although corn meal and coffee were but slightly lower.

Meats advanced in the year from June 15, 1915, to June 15, 1916, from 7 per cent for bacon to 16 per cent for hens. Other articles which made marked advances during this period were beans, 27 per cent; sugar, 26 per cent; onions, 35 per cent; and potatoes, 68 per cent.

A nation that does not protect its people in their food supply can not expect the people to protect it in the time of danger. Underfed nations are always weak nations, and this Nation should see at least that the younger generation that is now growing up and will soon take our places is well fed, well clothed, and well housed. This is especially true if we are to hold our heads erect among the nations of the earth.

But food products are not the only articles that have advanced, but the price of coal has also advanced.

I wish to read a short article on this subject from the Public:

While a shortage in supply and consequent high prices of some things may be explained by the European war, the explanation does not apply to others. The war could not have affected the coal situation, for instance. Coal is not imported from Europe nor exported to any great extent. The coal fields are in the United States. A shortage in supply means some interference either with work at the mines or with transportation. Monopolization of coal fields and means of transportation makes such interference possible. Upon monopoly must be placed the responsibility for the suffering, inconvenience, and loss sure to result from the high price of coal.

I hope and trust that the Members of this House, who are the representatives of all the people of the United States, will see that some legislation is enacted at this session of Congress to relieve the present situation, so that the reduction of prices of food products, as far as the Government is concerned, may be made possible. I wish here to submit a letter sent out by the National Live Stock Shippers' Protective League, which shows that they at least realize what effect transportation has on the prices of meat:

NATIONAL LIVE STOCK SHIPPERS' PROTECTIVE LEAGUE,
Union Stock Yards, Chicago.

HONORABLE SIR: I hand you herewith copy of resolution that was passed at the meeting of the executive committee of the National Live Stock Shippers' Protective League held in Chicago November 14, 1916.

It is evident to our association that there is grave danger to the live-stock industry should the power of regulating all rates be concentrated in the hands of the Federal commission. This was shown conclusively in the decision of the Shreveport case, in which, as you know, the Interstate Commerce Commission ordered intrastate rates on live stock increased to the level of interstate rates, which, in that case, would result in the rates being higher than the carriers had themselves proposed.

The injustice of this decision is evident, inasmuch as the movement of live stock to Shreveport from Texas is practically nil and should not, in our estimation, govern the enormous movement of live stock within the State of Texas. The same situation may exist at other places.

It is therefore our hope, and we urge upon you as representative of your people, especially those interested in the movement of live stock and its products, that a law be enacted so as to define and limit the powers of the Interstate Commerce Commission so as not to interfere with the rates on intrastate commerce.

Respectfully,
NATIONAL LIVE STOCK SHIPPERS' PROTECTIVE LEAGUE,
EDWARD F. KEEFER, *Secretary.*

I wish to conclude my remarks by reading an article on the price of butter:

[From the World, Tuesday, Dec. 5, 1916.]

THREE ILLINOIS MEN EVERY WEEK SET PRICE OF BUTTER FOR THE UNITED STATES—CAREFULLY PROTECTED BY LEGAL SAFEGUARDS, ON ONE SALE OF 25 TUBS OF 60 POUNDS EACH WEEKLY, THEY ESTABLISH THE AVERAGE ANNUAL COST OF 60,000,000 POUNDS OF THE PRODUCT VALUED AT $18,000,000, APPROXIMATELY—PREMIUM PAID BY A FEW CHICAGO DEALERS, BASED ON THE ELGIN STANDARD, TO A FEW CREAMERIES THE BANE OF THE TRADE, SAYS REFORM MEMBER OF THE ELGIN BOARD.

[The World presents below the second installment of the results of its investigation of the food situation in the West, the first installment of which, dealing with speculation in grains and meats in Chicago, was published yesterday. This second chapter shows that three men in weekly sessions at Elgin, Ill., fix the basic price of butter throughout the United States. It shows also that these quotations are based on a single sale of 25 tubs of butter each containing 60 pounds. By this system is fixed the average yearly price for the annual sales of 60,000,000 pounds of butter having a wholesale valuation of approximately $18,000,000.]

[By S. S. Fontaine.]

CHICAGO, *December 4.*

Three men travel every Saturday morning from Chicago to Elgin, Ill., 39 miles on the Chicago, Milwaukee & St. Paul Railway. There at noon in the assembly room of the Elgin Board of Trade they fix the weekly quotation for Elgin creamery butter. The telegraph and cable carry their decree to every merchandising center in the country and to every market in the civilized world to which the export trade of the country extends, and it forms the basic prices for all grades of table butter until these food arbiters meet again.

CAREFULLY HEDGED ABOUT TO AVOID COLLISION WITH LAW.

So carefully have these men hedged themselves about with legal safeguards that investigators of the Department of Justice and representatives of the United States district attorney at Chicago, who have for weeks maintained a close espionage upon their deliberations and the system by which they arrive at their valuations, have been unable so far to find any evidence that there has been any violation of the Sherman antitrust law.

The investigation, moreover, has revealed no legal proof apparently that there has not been observed to the letter the permanent injunction handed down April 28, 1914, by United States District Judge K. M. Landis in the suit of the Government against the Elgin Board of Trade prohibiting that institution—

"From appointing or authorizing the appointment of any officer, agent, or committee of said Elgin Board of Trade, whether of one or more persons, to fix or suggest the price of butter;

"From maintaining a quotation committee or any other committee or agency of said Elgin Board of Trade or its membership which shall fix a price or prices of butter;

"From quoting or publishing any price or prices of butter purporting to be 'market prices,' 'Elgin prices,' or the prices obtaining upon the board of said defendant corporation, unless and except such prices be those which have actually obtained upon said board in bona fide sales of butter.

"From fixing or determining by contract, combination, or agreement the bids or offers which members of said Elgin Board of Trade shall make with respect to purchases or sales of butter in advance of the making of said bids or offers.

OTHER PROHIBITIONS.

"From requiring, compelling, or demanding by board rule, by-law, or otherwise that the members of said Elgin Board of Trade use the quotations or prices of butter which are made by means of transactions upon said Elgin Board of Trade as a basic price in contracts for the purchase or sale of butter in interstate commerce.

"From making fictitious or washed or pretended sales or purchases of butter for the purpose of misleading any person or persons as to the actual price at which butter is being sold upon said Elgin Board of Trade, or which are intended to be used in any way as a basis for the making of quotations of prices on said Elgin Board of Trade.

"From making or participating in or knowingly permitting on said Elgin Board of Trade at any time any sale or purchase of butter that is not a bona fide transaction in which the seller in good faith intends to deliver the commodity and the purchaser in good faith intends to accept and pay therefor.

"From making or participating in or knowingly permitting to be made any sale or purchase of butter on said Elgin Board of Trade in pursuance of any combination or conspiracy by or between any two or more persons or corporations to raise or lower or affect the price of butter on said Elgin Board of Trade, and thereby to raise or lower or affect the price of butter in interstate commerce.

"From making or causing to be made any offer to buy or sell butter on said Elgin Board of Trade at a price which has been agreed upon by any two or more of the members of said board or by any one or more of said members and any other person or persons prior to the making of said offer."

BOARD REORGANIZED.

After the issuance of this decree the entire official personnel of the board was changed at the succeeding annual election, Charles H. Potter of the reform element replacing as president John Newman, who had held that position for nearly a quarter of a century; Frederick Grell supplanting G. H. Gurler as vice president, and W. W. Sherwin and L. L. Taylor succeeding as treasurer and secretary J. P. Mason and Colwin W. Brown, respectively. These men, with the addition of E. C. Hawley and Frederick R. Moles, have since formed the board of directors.

Singularly enough, it was almost wholly through the efforts of and information furnished by Frederick R. Moles, the last mentioned of these men, with whom an interview is given below, that the Government was able to obtain the evidence of collusion in price fixing by which it won its suit.

In obedience to the injunction the Elgin Board of Trade amended its charter and abolished its price committee, substituting therefor the present system, by which an informal committee of members, consisting of three or more—three being necessary for a quorum—meet every week and fix the quotation on an actual sale of butter. These members volunteer for the task. In theory the committee may embrace the entire membership of the board, consisting of 275 men—creamery men, agents, brokers, and dealers—but in practice it consists generally of the three men, seldom the same, who journey each week from Chicago for their self-appointed task.

Preparatory to their deliberations the secretary of the Elgin board of trade posts on the call board the amount of butter offered for sale at a minimum price and the amount for which there is a bid at the maximum price. A transaction is invariably effected at a level between these prices satisfactory to the producer and the bidder, and this sale, apparently bona fide, so far as the observations of the Federal authorities go, constitutes the basis upon which every wholesale and retail dealer in every city and every hamlet in the country fixes the price upon which butter goes into consumption. Elgin creamery butter, extra, grading at least 93 per cent of a possible 100 per cent of flavor, body, color, salt, and packing. This being the standard from which all other creamery products are graded downward from the following scale, which is a sample report of an Elgin board of trade inspector, giving the minimum requirements of Elgin creamery extra.

THE ELGIN BOARD OF TRADE,
BUTTER INSPECTOR'S DEPARTMENT,
Elgin, Ill.

I hereby certify that I have inspected the following lot of butter, with the following result:

Flavor	45 per cent less 2	43 points
Body	25 per cent less 2	23 points
Color	15 per cent less 1	14 points
Salt	10 per cent less 1	9 points
Package	5 per cent less 1	4 points
Totals	100 per cent	93 points

APPARENTLY MEETS REQUIREMENTS.

To the extent as outlined above the system now in use meets apparently all the requirements of the law and the injunction, but in practice the sale of 25 tubs, each containing a maximum of 60 pounds, fixes the price week in and week out for the 60,000,000 pounds of so-called Elgin creamery butter, having a wholesale valuation of $18,000,000, annually produced, according to the records of the Elgin board of trade—and all other grades as well.

That this investigation may be eminently fair, the representative of the World obtained the records of the weekly sales on the board during the season of the maximum butter production in the Elgin district—June and July. During these two months of last summer the greatest number of sales made at the weekly price-fixing session, were as follows:

Saturday, June 17	175 tubs
Saturday, July 1	250 tubs
Saturday, July 8	275 tubs
Saturday, July 15	175 tubs

So taking this total, reached in a season when the creamery men of the Elgin district send their maximum output to the market, only 875 tubs passed through the price-fixing medium of the board of trade, while the minimum total of receipts in Chicago is about 124,000 tubs a month.

During October last the maximum weekly sales on the Elgin board of trade exceeded 25 tubs only once, when on Saturday, October 28, the aggregate amount contracted for on the call board was 50 tubs.

Here we have the main objection to the system in practice at Elgin, assuming that there is no collusion whatever between any of the parties in interest in these small weekly sales. It will be seen that, taking them at their maximum, they constitute an infinitesimal unit upon which to fix the price of millions of pounds of butter that go into annual consumption.

HOW THE METHOD CHANGED.

Gradually abuses crept into the method of fixing the quotations until the Government found by its investigation that these prices were being arbitrarily arranged and that they bore only a remote relation to the operations of the law of supply and demand. Then came the injunction.

"The greatest detriment to the butter trade in general and the bane of all honest dealers," said Mr. Moles yesterday to the World representative, "is the practice of a few Chicago dealers of paying premiums to a few creameries which have exceptional facilities for manufacturing butter and shipping it to market. This premium, based on the Elgin standard, really fixes the basis for the general buying of cream and butter fat throughout the United States.

"The reason why this premium paying should be prohibited is that it is misleading to the butter consumer in general and unfair to 95 per cent of the butter producers. The quotations thus fixed are too high for the quality produced in general.

"As a matter of fact, the whole system is wrong. To fairly establish a market value all of the butter actually coming into the market daily should be reported in pounds or tubs at prices it is actually sold for.

"For instance, the quotation at the week's close for creamery extra is 42½ cents and the daily receipts in Chicago were approximately 6,000 tubs. A very small percentage of this grades an extra, and remittance upon that premium basis is actually made to only a few creameries, but the price thereof actually establishes the value for butter throughout the country. This causes an artificial price to the consumer, because he is led to believe that all good table butter is worth the maximum quotation, whereas 95 per cent of it is actually selling in the wholesale trade below that price. The actual quotations to-day in the trade, but not published for the consumer, for as good butter as most people ever have on their tables range from 35 to 42 cents a pound."

Mr. DILLON. Mr. Chairman, will the gentleman yield?

Mr. EMERSON. Yes.

Mr. DILLON. Has the gentleman any suggestion of remedies?

Mr. EMERSON. My suggestion is that we use the parcel-post system as a foundation. The Government should use every agency in its power to help the people of this country in reducing this present high cost of living. I feel that temporarily the Government should abolish or enlarge the zone system, or reduce the rate, or by some law take the products in one part of the country, where they are plentiful, and send them to another part of the country, where they are scarce.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Kentucky. Mr. Chairman, I ask unanimous consent that all debate on this bill be concluded in one hour.

Mr. MANN. I think we can get through in one hour, but I do not think we ought to close the debate in one hour.

The CHAIRMAN. Is there objection?

Mr. MANN. I object.

Mr. JOHNSON of Kentucky. Mr. Chairman, I yield to the gentleman from Ohio [Mr. CROSSER] 10 minutes.

The CHAIRMAN. The gentleman from Ohio [Mr. CROSSER] is recognized for 10 minutes.

Mr. CROSSER. Mr. Chairman and gentlemen of the committee, the theory upon which this Government was founded is that government derives its just powers from the consent of the governed. It is important, therefore, that we should have a sound public opinion. The passage of this bill would do much to establish a really sound, healthy public opinion.

That is the main purpose of this bill. There is nothing about it which would shock any man who has sound common sense and is in sympathy with our American institutions; nothing whatever. It simply proposes that these buildings known as public-school buildings shall be made use of as nearly as possible to the fullest extent. At the present time they are used about 5 or 6 hours a day out of the total 24.

It seems to me that if from no other standpoint than that of plain common sense economy the public could make better use of their buildings than that. This bill simply proposes to permit the adult population of this particular community, the District of Columbia, to hold meetings and discuss any subject they see fit to discuss, so long as they do not advocate violently overthrowing the Government. I frankly say there is no limitation upon the subjects which we propose may be discussed, and I am glad there is not.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. CROSSER. Yes.

Mr. CAMPBELL. I noticed yesterday at the public forum meeting a woman advocated the abolition of the cookstove. [Laughter.] Does the gentleman from Ohio think that a discussion of that sort will overturn the Government itself? [Laughter.]

Mr. CROSSER. I will answer the gentleman in this way, that any forum, any number of people, any community getting together and organizing as this bill proposes they may organize, before they hold any meeting, if they are really interested in the question of whether or not the cookstove is to be abolished, I say by all means let them discuss it.

Mr. JOHNSON of Kentucky. It may have a bearing on solving the problem of high cost of living.

Mr. CROSSER. The chairman suggests that it might help to solve the problem of the high cost of living.

Mr. OAKEY. I think the abolition of some of the cookstoves in Washington would not be a bad thing. [Laughter.]

Mr. CAMPBELL. This cookstove that the woman wanted to abolish was in the home.

Mr. CROSSER. Gentlemen, the proposition that the people shall be limited to the discussion of this subject or that subject in the meetings held in the public-school buildings of this city outside of school hours is one that I did not suppose would ever be seriously made in the Congress of the United States. I would not expect to find the objection made by the most obscure official in the land, that we should say that they must confine their discussions to this subject or that subject, while the people might prefer to discuss some other subject.

Mr. BENNET. Will the gentleman yield?

Mr. CROSSER. Yes.

Mr. BENNET. Then does the gentleman uphold the action of the American embassy in Paris in refusing to Charles Edward Russell permission to go to the front in France because he criticized the President of the United States?

Mr. CROSSER. I do not think I understand the gentleman's question.

Mr. BENNET. On the 6th of September Charles Edward Russell wrote to the secretary of the American embassy in Paris, France, asking permission, as the representative of 295 newspapers, to go to the front in France. He and another newspaper man asked simultaneously for the ordinary formal permission to go to the front. The other newspaper man was given his permit, but because Mr. Charles Edward Russell had exercised his right to criticize the President of the United States the American embassy refused him that permission. Does the gentleman think it strange that under an administration that denies the right of criticism——

Mr. CROSSER. I do not know that that has the slightest thing to do with this public forum bill.

Mr. BENNET. If the administration lays down a principle like that, is it not perfectly natural to find others attempting to limit the right of public discussion?

Mr. CROSSER. What other people may do or be compelled to do because of their official position, I do not know. I am talking about the principle involved in this bill.

Mr. BENNET. That is exactly the principle of it—an attempt to limit public discussion.

Mr. CROSSER. I stand here to advocate the proposition that any man ought to be given the right in this country to discuss any proposition which does not mean the overthrow by violent means of our present Government.

Mr. BENNET. I want to ask the gentleman if he agrees with that idea of this administration of the law? I have no doubt the gentleman knows Mr. Charles Edward Russell.

Mr. CROSSER. I know him.

Mr. BENNET. He wrote a letter to the Paris edition of the New York Herald, in which he criticized the action of the President of the United States in sending his congratulations to the then Emperor of Austria upon his birthday. He said he did not think that the character of the Emperor of Austria was such that the Chief Executive of a Government like ours ought to congratulate him on anything, and because Mr. Russell had exercised the right of free speech Mr. Bliss, in charge of the American Embassy at Paris, denied him the right to go to the front as a representative of American newspapers.

Mr. GARDNER. Is that the worst he could find to say about President Wilson? I could have helped him.

Mr. BENNET. That was enough, it seems.

Mr. CROSSER. I do not undertake to say what the administration of President Wilson has said or done on that subject——

Mr. BENNET. Yes; but the gentleman criticizes other gentlemen here because they wish to limit the right of free speech, and I call his attention to the fact that they are simply following an example set them in high places.

Mr. CROSSER. Well, I am speaking about what we ought to do, and not about what others may have done. If the gentleman knows of some violation of the right of free speech with which I am not acquainted, well and good. I say whether or not that be true, we ought to have absolutely free speech so long as it does not permit the advocacy of violent means for the overthrow of our Government.

Mr. BENNET. May I ask the gentleman another question?

Mr. CROSSER. Yes.

Mr. BENNET. This bill proposes, in a rather aristocratic way it seems to me, to let an organization composed of 20 adults—that is what it is boiled down to—establish one of these public forums.

Mr. CROSSER. Oh, no.

Mr. BENNET. Oh, yes.

Mr. CROSSER. Go ahead with your question.

Mr. BENNET. Does not the gentleman think it would be far better to provide, as they do in the city of Chicago and in the city of New York, that any persons or any organization only limited by the precedence of their applications, may use the school buildings for purposes of public discussion? Here you turn over a school building to 20 people——

Mr. CROSSER. They do not turn it over to 20 people.

Mr. BENNET. Oh, yes; they do.

Mr. CROSSER. If the gentleman will listen for a moment what is really proposed is that on the written application of 20 people the question as to whether or not a community forum shall be organized is then submitted to the public of the section of the city in question; that is all. The 20 people do not have the right to organize it. On the application of the 20 people the question is submitted to a vote of the people of that section, and 500 or 1,000 people may attend and vote down the 20 people, and there will be no organization. It simply proposes to give to these 20 people the right of petition, so to speak, to the Board of Education, to have the question submitted to the people of that district, whether or not there shall be a community forum established and a community center established. That is all there is to it; nothing more than we have in our State, where 10 per cent of the people may petition and have submitted to the people the question whether the constitution of the State of Ohio shall be changed. It would be just as reasonable to say that the 10 per cent of the people signing that petition could change the constitution of the State of Ohio, when as a matter of fact it requires a majority of those voting on the proposition to say whether the proposed change shall be submitted, as it would be to say that these 20 people could establish the proposition that they should have a community center and a community forum.

Mr. BENNET. Will the gentleman yield?

Mr. CROSSER. Yes.

Mr. BENNET. I do not think the gentleman honored me with his attention while I was asking my question.

Mr. CROSSER. Yes; I did.

Mr. BENNET. Why all this machinery? If they want to hold a meeting on a public subject, they do not have to organize a community forum. All they have to do is to provide that there shall be no admission fee charged, and by simply filing an application they can hold a meeting for the consideration of any subject they please. Why all this red tape, why a secretary and assistant secretary and salaries?

Mr. CROSSER. They must have some such organization as we have provided in this bill.

Mr. BENNET. No; in Chicago one night they hold a Bohemian sangerfest——

Mr. CROSSER. Who authorizes them to do that?

Mr. BENNET. Any resident in the city of Chicago under the law.

Mr. CROSSER. Who gives them the authority to hold their meeting?

Mr. BENNET. The park board. What I am criticizing in this bill is that it makes it exclusive and provides unnecessary machinery.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Kentucky. I yield the gentleman five minutes more.

Mr. CROSSER. I want to say in reply to the gentleman from New York that so far from making this exclusive it gives the broadest kind of a latitude possible; it allows any man in the neighborhood who is so inclined to come in and take part in the discussion, and to help determine whether or not they are to have a forum or not; and whether or not it is for the discussion of anarchism or socialism or health laws, they may make application to the secretary and have a day set aside for their meetings.

Mr. MANN. Can a boxing club get in?

Mr. CROSSER. Well, I probably made that a little too broad.

Mr. MANN. I am asking for information, because there is one place in the bill where it says that the object is public education through the open representation and orderly free discussion of public questions.

Mr. CROSSER. I think I was a little too broad in what I first said.

Mr. BENNET. I recollect that Mr. Willard and Mr. Johnson had an orderly and free discussion of a public question in Cuba some time ago.

Mr. CROSSER. I think I stated it a little too broadly when I said that a boxing club might get in. There is no limitation put on the questions they may discuss. The real truth about the opposition to the bill is that it comes from people who have decided that you shall have a certain kind of religion, observe the first day of the week, and who have decided that nobody else shall discuss questions which do not meet with their approval. It is going back to the old blue laws which your ancestors and some of mine upheld to some extent.

Mr. SMITH of Idaho. Those meetings are held at the expense of the participants while these are to be held at the expense of the Government.

Mr. CROSSER. Now, I can not yield further. It seems to me that it is going back to a condition of barbarism—to provide that we must only think as so-and-so wants us to think. We can not go to any church except such as Tom, Dick, or Harry may specify; we can not on Sunday discuss a political subject, no matter how religious in its nature a man like Mr. LONDON or others may think it to be when these powers that be say no.

Now, it is true that at the present time we may possibly have discussions on some subjects in schoolhouses, but only after the board of education says that we may do so. The board of education has found it convenient in certain cases to refuse the privilege to discuss public questions on the first day of the week. Some gentlemen here have commented that most of the meetings have been held on the Sabbath day. That is true for the very good reason that men engaged in business pursuits and men who have to work week days from early morn till late at night can not go to participate in discussions except on the Sabbath day. For that reason Sunday is the day best adapted for the discussion of public questions by these men. Certainly if they are citizens they ought to be allowed to develop themselves to the highest possible degree for the duties of citizenship.

Mr. JOHNSON of Kentucky. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. MEEKER].

Mr. MEEKER. Mr. Chairman, I think the one principle involved in this bill is indeed desirable and wholesome. I want to say now I am in no sympathy with some of our good friends from the blue-laws country who would like to make even a man's soul salvation by law if they could. That is coming to be rather popular in this Government. How far we are going in that direction before we are through, nobody at the present can tell. We are doing our best to legislate everybody into heaven. But, so far as one feature of the bill is concerned, it seems to me it is not quite as it might be for the best interests of those who would constitute the organization in that forum. Even though it is only $2 or $4 for a meeting, I would like to see the people who want to hold the meetings pay the fiddler if they are going to dance. I am not quite in sympathy with the Government providing $4 for a secretary for some group who might desire to hold that meeting. It seems to me the friends of the bill—and I am friendly to the bill—should be willing to put that little obligation upon those who are interested in that propaganda. I think it is not so much the amount of money as the principle involved. Regarding the use of the school buildings for public discussion, I found some few years ago in a series of investigations in the city of St. Louis that aside from some small halls that were erected for such purpose to be rented there were no community centers. The taxpayers had erected the great buildings; they were the property of the people; but the people could not get into them. I think that, so far as the District of Columbia is concerned, the citizens of this District should be willing to assume that small cost of providing the expenses of their meetings, and it is only fair and right that they should pay for their own dance and for whatever fiddler they choose at that particular time.

So far as the Sunday afternoon or the Sunday feature of it is concerned, I think that should be repugnant to every man who believes in a free America, when it comes to the affairs of government. We are interjecting too much into our governmental system our own ideas as to what men must do as regards their own conduct, and it would be indeed a most regrettable thing if the Members of the American Congress should hark back to the days when you accepted your religion and everything else from the powers of the State and put into such a bill as this, which is intended primarily for the purpose of opening up our public buildings for public discussions of public questions, any suggestion whatever that a group of citizens in the District of Columbia shall be so restricted.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. MEEKER. Yes.

Mr. CAMPBELL. Does the gentleman from Missouri believe that any considerable number of the people would avail themselves of the opportunity to discuss public questions upon the Sabbath day in the schoolhouses or public buildings in the District of Columbia? Just one political organization would avail itself of the opportunity.

Mr. MEEKER. Be that as it may, they may all have the opportunity so far as I am concerned. If they do not wish to take advantage of it, that is their lookout. I think I am not in sympathy with the political organization to which the gentleman refers, but I am perfectly willing that that organization should talk itself out all it pleases.

Mr. CAMPBELL. So am I, but I am not willing that they should hold the meetings at public expense in a public building on the Sabbath day.

Mr. MEEKER. I am suggesting that change. There is nothing said that the other parties can not hold meetings.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. MEEKER. Yes.

Mr. FESS. I think the bill says only the citizens of the community so desiring to form the forum shall do so.

Mr. MEEKER. Yes.

Mr. FESS. Would that embrace all of the citizens?

Mr. MEEKER. Twenty, I think, is the provision of the bill.

Mr. JOHNSON of Kentucky. Twenty or more; there is no limit as to number.

Mr. FESS. Suppose twenty would call for an expression of the people, and twenty only would come out?

Mr. MEEKER. Yes.

Mr. FESS. They would have the forum?

Mr. MEEKER. Yes.

Mr. FESS. It would not be the vote of the citizens, but just the vote of the people whose chose to vote upon it?

Mr. MEEKER. That is the same on any of your referendums or constitutional changes. If only 50 per cent of your citizenship vote, then that settles it.

Mr. RAKER. After the forum has been organized, is it not a fact that every adult man and woman in the District can become a member of it?

Mr. MEEKER. He thereby is a member of it—the very fact that he lives in that community makes him a member. It seems to me that the attitude of some of the people who are members of the powers that be in the city of Washington toward the citizens of the District of Columbia is positively pusillanimous.

We treat these people as if they were wards, and here is a little bit of a start toward letting them have a little something to do in a very small way—to even talk about public affairs in a public building, and we are afraid to trust them even to that extent.

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr. MEEKER. Yes.

Mr. KING. Why is the colored race discriminated against in the first section and not permitted to participate in these community forums? I refer to lines 6, 7, and 8.

Mr. MEEKER. The gentleman refers to the language:

> Or persons who, if parents, would be entitled to enroll their children in said school.

Mr. KING. Yes.

Mr. MEEKER. Would not the colored people hold their forums in the colored schools?

Mr. KING. They would be required to hold their forums in the colored schools and the whites in the white schools, but no colored people would be permitted to participate in the question of whether a certain schoolhouse in their locality, if it be a white school, should be used as a community forum, even though they may pay taxes there.

Mr. JOHNSON of Kentucky. They would go to their own schoolhouses, just like their children do.

Mr. KING. If you are in favor of free speech, why not permit them to come in and discuss the question individually?

Mr. MEEKER. It is not a question of the men who talk, but of the men who organize the forum.

Mr. HAMILTON of Michigan. Is a colored man permitted to sign this application?

Mr. JOHNSON of Kentucky. He is, to establish a forum at his own school.

Mr. HAMILTON of Michigan. For any school?

Mr. JOHNSON of Kentucky. Only for his own school.

Mr. HAMILTON of Michigan. Does it say so?

Mr. JOHNSON of Kentucky. Yes.

Mr. HAMILTON of Michigan. Where?

Mr. JOHNSON of Kentucky. On the first page, lines 7 and 8.

Mr. HAMILTON of Michigan. That expressly excludes them.

Mr. JOHNSON of Kentucky. No; it includes them.

Mr. HAMILTON of Michigan. I understood it differently.

Mr. MEEKER. As I understand it, anyone in that school community who is a patron of the school can constitute the forum, but as to who speaks in the forum there is nothing said about that at all.

Mr. KING. They would have to send their children to that school in order to become qualified to be of the 20?

Mr. MEEKER. Yes.

Mr. BORLAND. Is not that perfectly right, when we have appropriated for schools for colored people? The white people are not permitted to organize a forum in a colored school.

Mr. MEEKER. No. I think there is no restriction as to who may speak in the forum. It is simply who organizes it. I hope that some member of the committee, before we come to a vote on this bill, will explain why it is that the Government is called upon to pay even this small sum of $4 to some secretary for these meetings.

Mr. RAGSDALE. Will the gentleman permit me?

Mr. MEEKER. Yes.

Mr. RAGSDALE. Does the gentleman think it is right to enact legislation to require the taxpayers of the District of Columbia to be taxed to create institutions of learning and then permit any people who temporarily reside here and who pay no taxes to come in against the wishes of the board and take charge of these school buildings?

Mr. MEEKER. Would the gentleman amend this bill by requiring them to be taxed?

Mr. RAGSDALE. That is what this bill provides. Is that right?

Mr. MEEKER. If this is Government property; yes.

Mr. RAGSDALE. Does the gentleman think it is right to turn over Government property, for which the people of the District are taxed to create and maintain here, to nontaxpaying individuals?

Mr. MEEKER. Is the gentleman willing to vote for a referendum on the prohibition issue in the District?

Mr. RAGSDALE. If the gentleman would confine it to white people and to males; yes.

Mr. MEEKER. I am glad to hear it.

Mr. RAGSDALE. Is the gentleman?

Mr. MEEKER. Yes.

Mr. RAGSDALE. Is the gentleman willing to make that restriction?

Mr. MEEKER. I am willing for any referendum.

Mr. RAGSDALE. That is what I thought the gentleman would be for.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Kentucky. Mr. Chairman, may I inquire how much time I have left?

The CHAIRMAN. The gentleman from Kentucky has eight minutes remaining.

Mr. JOHNSON of Kentucky. Mr. Chairman, I reserve the remainder of my time.

Mr. MAPES. Mr. Chairman and gentlemen, I think it would be well for the Members of the House to understand what the bill provides, what the present law is, and what the occasion for this bill is. The last Congress enacted a law, which was approved on the 4th of March, 1915, giving the board of education very broad authority to open the school buildings of the District. That law provides——

Mr. RAGSDALE. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from South Carolina makes the point of no quorum——

Mr. MAPES. Mr. Chairman, can I be taken off my feet for that purpose?

The CHAIRMAN. Yes. The Chair will count. [After counting.] One hundred and five Members are present—a quorum.

Mr. MAPES. Mr. Chairman, as I was about to say, we have a law on the statute books now which seems to me to go as far as we need to go in this matter—at least as far as we ought to go until the board of education and the people of the District have had an opportunity to work it out. As I was saying when the point of no quorum was raised, there has been a law on the statute books since the 4th of March, 1915, which reads as follows:

> That the control of the public schools in the District of Columbia by the board of education shall extend to, include, and comprise the use of the public-school buildings and grounds by pupils of the public schools, other children, and adults, for supplementary educational purposes, civic meetings for the free discussion of public questions, social centers, centers of recreation, playgrounds. The privilege of the use of said buildings and grounds for any of said purposes may be granted by the board upon such terms and conditions and under such rules and regulations as the board may prescribe.

Mr. BENNET. Will the gentleman yield?

Mr. MAPES. I will.

Mr. BENNET. This report says that this bill is the unanimous expression of the Committee on the District of Columbia. Is the gentleman in accordance with that view?

Mr. MAPES. I will answer that in just a moment. This is the second bill on this subject which was introduced. The first bill was referred to the subcommittee on education, of the Committee on the District of Columbia, of which I am a member. We had extensive hearings on that bill. After those hearings the subcommittee was never called together to consider the bill, but this bill was introduced. It was never referred to, or considered by, the subcommittee, but was reported out, I believe, at the last meeting of the District Committee at the last session of Congress. I was not present at the meeting. I do not know who was there, although I know several who were not. The hearings we had were on a different bill. That bill made no provision whatever for the control of the physical property of the schools, amounting to several millions of dollars, by the board of education. The control of the property was taken entirely out of the jurisdiction of the board of education and left to these community forums, with no responsibility on the part of anyone. Now I call your attention to the operation of this law which was enacted in 1915. In the hearings on the other bill the president of the board of education, Mr. Blair, said:

> Now, we have been, with the utmost freedom of which we are capable, using all our public-school buildings for public purposes, under the terms of this act and under the supplementary educational purposes clause; and I have prepared a statement showing the community use of public-school buildings as it obtains to-day.

Then he goes on and tells the uses which have been made of the buildings under permission given by the board of education since this law went into effect:

> The white schools have been used by mothers' clubs and other parent-teacher associations, 48 times; citizens' associations, 9 times; other civic and community associations, 54 times. Membership represented by above associations, 9,286.
>
> Colored schools: Mothers' clubs and other parent-teacher associations, 35 times; citizens' associations, 7 times; other civic and community associations, 4 times. Membership represented by above colored associations, 3,355.
>
> Total for all schools: Mothers' clubs and other parent-teacher associations, 83; citizens' associations, 16; other civic and community associations, 58. Membership represented by above associations, 12,641.

Mr. FESS. Will the gentleman yield?

Mr. MAPES. I will yield.

Mr. FESS. Does that mean the number of associations that use the buildings under the present law?

Mr. MAPES. That means, I think, the number of different meetings that have been held, and not that there were that many different associations; but the buildings have been opened to everyone who requested it, except in one case.

Mr. FESS. In other words, under the present law there is not much restriction?

Mr. MAPES. The chairman of the board of education testified that the board had not refused the use of the public buildings to any community or refused any request that was made to it, except the request made by the Grover Cleveland community to hold meetings Sunday afternoon. They held meetings for two Sundays. They made all the arrangements to hold some of them before securing the consent of the board of education, and the board allowed them to go ahead with those, but refused to grant permission to hold any more on Sunday afternoons, for the reason, as Mr. Blair said, that the school board did not think it was the sentiment of the people of the District, taken as a whole, that their school buildings should be thrown open Sunday afternoons for all sorts of meetings.

Mr. CAMPBELL. Will the gentleman yield?

Mr. MAPES. I yield.

Mr. CAMPBELL. The meetings held do not include any political meetings held on Sunday afternoons. And does the gentleman believe that that omission on the part of the board of education to let these school buildings for that purpose laid the foundation for the campaign that resulted in the preparation and report on this bill?

Mr. MAPES. The testimony before the committee by the proponents of this legislation was that the occasion for the introduction of this bill, and the only occasion, I think—at least, that was the testimony of some of them—was the refusal of the board of education to throw open the Grover Cleveland school building on Sunday afternoon.

Mr. CAMPBELL. What kind of meetings were they that were held in the Grover Cleveland School? Were they political meetings?

Mr. MAPES. I am not familiar with the nature of them. I think they were discussing economic questions, and I believe some Members of the House of Representatives appeared and addressed the meetings.

Mr. LLOYD. Mr. Chairman, there was no purely political question discussed at any of these meetings, was there?

Mr. MAPES. I am not able to answer that.

Mr. LLOYD. They were social and economic and moral.

Mr. MAPES. I think the gentleman from Missouri knows.

Mr. LLOYD. As far as I know anything of the meetings that were held at the Grover Cleveland School and afterwards in the Public Library, not any of them were what you might term political.

Mr. CAMPBELL. I am quite familiar with the political organizations that hold their meetings on Sunday afternoons, and they say they are not political but social and for the uplift of the people of the community generally. One of them was held in Baltimore, and a woman who addressed that meeting advocated the abolition of the cook stove in the home.

Mr. LLOYD. I was referring to what happened last year. I am sure that in the meetings last year there were no purely political questions considered.

Mr. CAMPBELL. It was not a purely political question at all, but it is a rather rotten one.

Mr. RAGSDALE. Whatever may have transpired as to the last meeting, there is nothing in this law that prevents there being political discussions in the future.

Mr. MAPES. There is no limitation in this law.

Mr. STEENERSON. Is not the effect of this bill to take the control of the school buildings and the property of the District out of the board of education and turn it over to this self-constituted and self-elected forum?

Mr. MAPES. I will say to the gentleman that in my opinion the first bill did that very thing. It was very loosely drawn, and I opposed that bill largely on that account. This present bill, it seems to me, might be clearer and more definite in that particular, might leave the control of the buildings to the board of education a little more definitely than it does. If it would do that, I would have no serious objection to the passage of the bill, although I do not think it is at all necessary in view of the present law.

Mr. STEENERSON. If the former bill was more vague or obscure than this is, I am sure it was a masterpiece. This takes the control of the schoolhouses and property of the District of Columbia from the board of education and turns it over to the forum.

Mr. JOHNSON of Kentucky. I will say that Dr. Van Schaick, the president of the board of education, a Christian minister, is in favor of the bill.

Mr. STEENERSON. It does not make any difference who favors it.

Mr. JOHNSON of Kentucky. He is president of the board of education, and this bill does not take it out of his hands.

Mr. MAPES. He has been the president for the last few months only. When the hearings on this subject were held in the summer Mr. Blair was president. But, if the gentleman from Minnesota [Mr. STEENERSON] will permit, on page 3, at the bottom of the page, there is an attempt to cover the objection which he raises, although, as I have said, I think the language might be more definite. It reads:

> The board of education may make such other regulations as it may deem necessary to protect the physical property from abuse.

Mr. STEENERSON. Oh, yes; but it provides specifically that the forums shall control the buildings when they are using them for these purposes.

Mr. MAPES. Except under that limitation.

Mr. STEENERSON. I would like to ask if there is any limitation in this bill against their being turned over and used for religious purposes?

Mr. MAPES. No limitation at all.

Mr. STEENERSON. So that they might draw these salaries, amounting to $15,000 a year, and we would be contributing by taxation to religious services?

Mr. MAPES. If the community desires it.

Mr. RAGSDALE, Mr. MADDEN, and Mr. WALSH rose.

The CHAIRMAN. Does the gentleman yield, and to whom?

Mr. MAPES. I reserve the balance of my time.

The CHAIRMAN. The gentleman from South Carolina [Mr. RAGSDALE], who is a member of the committee, will be recognized.

Mr. RAGSDALE. Mr. Chairman, in my opinion no greater invasion of the rights of the taxpayers of the District of Columbia has been attempted, in so far as their educational system is concerned, than has been attempted in this particular bill. When we speak of the rights of the people of the District of Columbia, when we refer to what opportunity ought to be given them as a matter of right to settle this question, the first move that we make in this bill is to take away from them some of their rights.

We do not say in this bill that if a majority in any particular section nearly associated with the building geographically are opposed to the establishment of one of these social centers that they shall have any rights in the matter, but we say that a majority of the people of the District of Columbia shall have no voice in the establishment or development of this institution. We do not say that any particular section in the District of Columbia where they propose to establish one of these social centers shall have any voice in it other than those in favor of it; and whenever any legislation denies anybody who is opposed to a thing the right to be heard, and looks only to that side that is in favor of an institution, it is manifestly unfair.

Mr. CROSSER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Ohio?

Mr. RAGSDALE. No; I am sorry I can not yield. I will give the gentleman time later.

Mr. CROSSER. I have had my time.

Mr. RAGSDALE. I do not propose to be interrupted in my argument here from time to time by the gentleman. When I get through I will answer any question that may be propounded.

I say whenever any legislation proposes to deny a right to all except on one side of a proposition, it is manifestly unfair legislation.

This bill does not propose to say that the people adjacent to a school building shall get up two petitions, and that whichever one has the majority of the people in that community, their wishes shall control. This bill does not say that those who pay taxes in the District of Columbia are the only ones that shall have the right to be heard. This does not say that they shall be citizens of the District of Columbia. It says that when "20 adult persons"—not citizens—"residing in the vicinity of any public-school buildings in the District of Columbia, all of said persons being parents of children enrolled as pupils in said public school, or persons who if parents would be entitled to enroll their children in said school, the board of education shall define and fix the territorial limits within which adult persons must reside to entitle them to participate as members in the organization which may be formed, as hereinafter provided."

Now, here is an organization that is created by 20 people—an organization of 20 people, not one of whom need be an American citizen. Of not one of them is it required that they have any status in this country. If they are residents of the community, that is all that is required. Then they may form a social center proposition here under this law. That is my construction of it. If I am wrong I hope that somebody will show me that I am wrong. Here are 20 people who can come in here, or move in here from any other country in the world, and become temporary residents of the District of Columbia, and the only limitation imposed upon them is that they shall be adults, and that their children shall have the right to go to school, or that they must be persons who if parents would be entitled to enroll their children in the school.

Now, if a man is born abroad and he comes here as a temporary resident of the District of Columbia, he can send his children to school here. Therefore it does not require him to be a citizen of this country. Twenty foreigners, with no American citizenship, with no obligations of any kind to the people of the District of Columbia or to its form of government or to the General Government as a whole, may come in here and take away from the taxpayers of the District of Columbia the right to regulate and control the buildings which the people here are taxed to construct, control, and maintain. Would you stand for that in your own community? Is there a man here who would advocate legislation of this kind in the community from which he comes?

Mr. LLOYD. Right there, Mr. Chairman, will the gentleman yield?

Mr. RAGSDALE. Yes.

Mr. LLOYD. Mr. Chairman, I am sure the gentleman wishes to state the matter exactly and fairly. What he says, I think, is true with reference to the 20 persons.

Mr. RAGSDALE. Yes, sir.

Mr. LLOYD. But those 20 persons when they present their petitions to the school board do not organize at all. They merely fix the limit. After the school board has fixed the limit of the district any qualified person may vote at that meeting.

Mr. RAGSDALE. Qualified in what way?

Mr. LLOYD. That the public school shall not be used as a community forum. They determine those in that district who are entitled to send children to that school, who are entitled to participate in that meeting; and when they are entitled to participate in that meeting they have the right to determine whether there shall be a forum meeting or not.

Mr. RAGSDALE. All right. Therefore, if 20 people living near a school building sign a petition and attend a forum meeting, those 20 people, if nobody else went there, could organize a forum meeting, even if every one of them was a foreigner, and they could take charge of the building. Is not that correct?

Mr. LLOYD. That is correct.

Mr. BENNET. Mr. Chairman, will the gentleman yield?

Mr. RAGSDALE. Yes.

Mr. BENNET. Is the gentleman a member of the Committee on the District of Columbia?

Mr. RAGSDALE. I am.

Mr. BENNET. I notice this report says that the bill was unanimously reported.

Mr. RAGSDALE. This bill was reported, I think, when I was engaged in my campaign in South Carolina. I have always been opposed to it, and I wrote a letter which I sent from South Carolina stating that there were no influences that could make me support it.

Mr. BENNET. Then this is not, in fact, a unanimous report?

Mr. RAGSDALE. No. In so far as it applies to me, it is not correct, because I am not in favor of the bill, and never have expected to be in favor of it.

Now, I want to ask these gentlemen who are going to vote on this proposition if anyone in your own community would go before his people and advocate the erection of handsome buildings at the enormous cost of such buildings as have been erected in the District of Columbia, as, for example, the Central High School, that stands in front of my home, and which, I understand, is one of the largest and handsomest structures of its kind in the world, would anyone of you go to your home people and advocate taxing them to erect a structure of that kind and put in that law a provision to the effect that any 20 foreigners could come and reside within a certain radius of that particular school and divest your legally constituted trustees of all their authority over that building and have any gathering they wanted in that building? I ask you, would you do it in your own community? If not, is it fair to do it here, where the people have no vote? You tax your people at home in part for these educational institutions, to build them and to maintain them, and when you create these institutions by this taxation and maintain them by the taxation of your own people in part and of the people of the District of Columbia, I ask you if it is fair under these conditions to take the property you have created with the money you have forcibly taken from them under the power you have in this Government and then turn it over to a lot of irresponsible people, who may be here this week and gone next week, and let them take these buildings here and utilize them for purposes to which the taxpayers who created them are absolutely opposed?

Mr. BENNET. Will the gentleman yield?

Mr. RAGSDALE. Certainly.

Mr. BENNET. In the judgment of the gentleman, has the board of education exercised its present power unreasonably?

Mr. RAGSDALE. On the contrary, if you will look into the hearings they will disclose the fact that the only contest between the people who are behind this measure and the board of education has been the question whether or not these buildings should be utilized on Sunday rather than on week days. The hearings developed the fact that every single request that has been made for the utilization of these school buildings in the District of Columbia, in so far as their use on week days was concerned, has been granted, but that the board of education objected to the use of these buildings for secular matters, for political debates, and things of that kind on Sunday, and that was the only exception that they made to the use of the buildings under any circumstances.

Mr. BENNET. Does the gentleman mean to have it understood that persons desire to have political debate on Sunday afternoon?

Mr. RAGSDALE. The bill itself provides——

Mr. BENNET. I know what the bill provides, but I refer to the applications that have been made.

Mr. RAGSDALE. They did not state that specifically, but there was no limitation on the subjects to be discussed. They wanted to take these educational institutions and utilize them for their own purposes—and they were not religious purposes—on Sunday, and the board very properly objected to that; and the answer to the board in its desire to use these educational institutions for educational purposes, and to close them on Sunday and allow the school teachers to have a day of rest, was the introduction of this bill, which provides for the compulsory attendance of a part of the school force and for the utilization of these school buildings for secular matters on the holy Sabbath.

Mr. RAKER. Mr. Speaker, will the gentleman yield for a question?

Mr. RAGSDALE. Why, certainly.

Mr. BENNET. In regard to the Sunday proposition, on page 153 of the hearings Miss Wilson stated:

> Some of those points are absolutely at issue. The Sunday question is not involved in any way in the bill.

Mr. RAGSDALE. Yes; but let me read from another page of the hearings.

Mr. GORDON. Will the gentleman yield for a question?

Mr. RAGSDALE. I can not answer both gentlemen at once. I am trying to find something here to read to the gentleman from California (Mr. RAKER).

Mr. MAPES. Will the gentleman yield?

Mr. RAGSDALE. Yes.

Mr. MAPES. The gentleman will recall that other witnesses testified that the occasion which brought forth this bill was the failure to open the schools on Sunday.

Mr. RAGSDALE. On page 24 of the hearings, if the gentleman will turn to that page, he will find that I asked Miss Wilson this question:

> The only instance in this District is where you wished to use the building on a Sunday, and the school board refused permission for its use on Sunday. At all other times you have been permitted to use it?

To that question Miss Wilson replied:

> The first time that a community forum was called the very first question that came up was when they should meet, and that question was decided by the school board and not by the people. Now, that is simply typical of what may come up and what will come up. And, no matter whether you think that it is possible or may come up again or not, the principle should be established, to my mind, that a majority of the people should decide.

Then I asked her:

> But as it is now, the only time that it has been refused to you is for use on a Sunday afternoon?

Miss Wilson replied:

> The only time that the question ever came up, and the first time, as between the people and the board of education, the board of education did not carry out the wishes of the people.

I asked her:

And that particular time was as to the use of the school buildings on Sunday?

She replied:

Yes.

I asked her:

And for no other time?

And Miss Wilson replied:

Yes.

Mr. MEEKER. Why should the State object to a political discussion in a schoolhouse on Sunday when the church has political discussions on Sunday?

Mr. RAGSDALE. Why should the State deny the right of the board of trustees to run an educational institution when it does not deny the right to the board of trustees of a church to run it, when it does not deny the right to the board of directors of a bank to run it, and when it does not deny the right to the board of directors of a railroad to run it? Why do you not turn over to an irresponsible rabble your telephone system, your railroad system, your postal system, and every other organized system? Why do you go and strike at the educational system, which means more to your homes, to your children, to everything that is good in your community? Why do you strike at that first and turn it over to an irresponsible rabble of un-American persons, who know nothing of our form of government and who care less? [Applause.]

Mr. CROSSER. Did any of these un-American people appear before the committee?

Mr. RAGSDALE. No; I do not think they did. They had more potential political influence that they brought forward. The un-Americans would not have counted for anything.

Mr. CROSSER. The nonvoting people are the only ones that would have anything to do with the forum; no persons in the District can vote.

Mr. RAGSDALE. The bill does not say residents; it says, "residing in the community." It does not say that they shall vote. Everybody who knows this bill, who has studied the bill, knows that it is a clear effort to take away from the board of education of the District of Columbia their right to control these institutions of learning because they will not vote to use them on Sunday for political or any other improper purposes. Everybody who has studied the situation, and everybody who went to the meetings, everybody who has read the hearings, knows that if the board had permitted them to use these educational institutions for a forum on Sundays there never would have been a bill of this kind introduced into the House.

Mr. HUSTED. Will the gentleman yield?

Mr. RAGSDALE. Yes.

Mr. HUSTED. How many organizations, in the gentleman's opinion, could be created in any one district?

Mr. RAGSDALE. Only one.

Mr. HUSTED. That would deprive every other citizen of the privilege of forming a forum in that district.

Mr. RAGSDALE. Yes; they would have to belong to this particular organization. Now, I would like to call attention to one star witness who came before the committee.

Mr. MANN. Will the gentleman yield?

Mr. RAGSDALE. Yes.

Mr. MANN. Why does the gentleman say that only one community forum can be organized for a certain building?

Mr. RAGSDALE. Because the bill provides that.

Mr. MANN. Not at all; there is no such provision.

Mr. RAGSDALE. The bill says that upon written application so to do signed by not less than 20 adult persons residing in the vicinity of any public-school building in the District of Columbia, and then it goes on and provides that they shall be organized, but it does not provide for any more, and as the provisions are limited to this organization, how can you get any other?

Mr. MANN. The bill provides that the board of organization can fix the territorial limits. They may fix a limit of a block, and there may be another block, and still another block, and there may be 40 blocks. Of course, they could not all hold meetings in the same room at the same time, but there is nothing in the bill which limits the authority of the board of education to grant permission to various forums to meet in the same school building.

Mr. RAGSDALE. It provides that when the organization is formed the board of education shall make all necessary arrangements and provision for the weekly, biweekly, or monthly meetings of such organization at such times as the organization may designate for its meetings. There is no provision for the use of more than one such gathering.

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. RAGSDALE. Yes.

Mr. PAGE of North Carolina. There is nothing to prevent, however, every adult person in that community joining this one organization?

Mr. RAGSDALE. No.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. RAGSDALE. Yes.

Mr. MOORE of Pennsylvania. If these forums are organized, they could hire halls for their meetings, could they not?

Mr. RAGSDALE. Certainly.

Mr. MOORE of Pennsylvania. Why should the Government be expected to pay $15,000 a year for rent of buildings for private organizations?

Mr. RAGSDALE. I think it is absolutely wrong that the Government should be required to do it.

Mr. MOORE of Pennsylvania. Would it not be taking $15,000 out of the Treasury and giving it voluntarily to these associations for paying the rent which they ought to pay on their own account? Is not that the fact?

Mr. RAGSDALE. According to my view it is worse than that. It is not a question of dollars and cents, but we create a board of education who accept the duties devolving upon them to do something for the district in which they reside. One of the responsibilities with which they are charged is the proper care of educational institutions which we have furnished by taxation of all the people. These boards generally take a great deal of pride in the public institutions; they give their time to them, inspect them, and go around to see that proper conditions exist at the schools. Now, in the face of their objection to that which they believe is inimical to the best interest and welfare of the schools, they are divested of authority and it is put in the hands of 20 unknown, irresponsible beings the only qualification of whom is that they must reside within certain territorial limits adjacent to the public school and that their children could attend the school.

Mr. MOORE of Pennsylvania. Is it not a fact that if this bill is passed we put the public schools in competition with private halls which are erected by private invested capital for the purpose of rental?

Mr. RAGSDALE. Certainly.

Mr. BORLAND. Will the gentleman yield?

Mr. RAGSDALE. Yes.

Mr. BORLAND. The gentleman speaks about Sabbath meetings. What is the objection to political meetings on Sunday? What is the real objection?

Mr. RAGSDALE. I think that whenever any set of people who are engaged in politics for a living or otherwise——

Mr. BORLAND. Or otherwise.

Mr. RAGSDALE. I am going to answer your question—desire to have a Sunday meeting, they ought to go to the proper local authorities and secure permission to have it. How would you, Mr. BORLAND—in the city from which you come, against your protest and the protest of the ministers in your immediate community, and of the best citizens of your community—like to have 20 irresponsible people or 20 people of any type hold a political meeting right-across the way from the church—in the face of this opposition?

Mr. BORLAND. If they are patrons of the school I have no right to limit their religious views.

Mr. RAGSDALE. I am not talking about any religious views.

Mr. BORLAND. They are supporters of that school.

Mr. RAGSDALE. The gentleman and I ought not to talk about religious views. Let us talk about politics. We are better qualified for that. [Laughter.]

Mr. HUSTED. As I understand it, if these meetings were held on Sunday this bill provides that a school-teacher would have to attend those meetings on Sunday?

Mr. RAGSDALE. Yes.

Mr. HUSTED. And I further assume that three of these organizations could be created in one of these school districts, and if they were allowed to hold two meetings a week, why would not those three organizations practically preempt that school building to the exclusion of everybody else who might want to use it for a public meeting?

Mr. RAGSDALE. There is no question that the minute these organizations are effected, the minute their powers come into play under this bill, the school trustees and the taxpayers of the community, in anything that comes in conflict with them for Sunday use or other than the regular use of the building for educational purposes, are absolutely divested of authority.

Mr. BENNET. Is there anything in this bill that prevents these 20 men from going to the Central High School district and organizing one forum, and then a month after that moving into

some other school district and getting up another petition and organizing another forum, and so on, until that little coterie is in control of every school building in the city of Washington?

Mr. RAGSDALE. I do not think there is anything in this bill which prohibits that, and the fact is that one of the chief workers for this bill was brought here, as I understand it, from another city for the purpose of bringing about this organization. He was given a place over here in the department of education, and when I asked him what his salary was he told me that it was $1 per year. That is to be found in these hearings here. His name is Ward. He was brought here specifically for the purpose of pulling off this school-forum propaganda. That was his particular work. He was given a commission as a United States officer, and he was allowed to use the frank in the Department of Education, and he was given a room and there engaged to send out his propaganda, although paid the salary of only $1 per year by the Government for his services. When I asked him whom he served—the Government who paid him this princely salary of $1 per year or the people who paid him his real salary—his answer was that "the man who pays the piper has the right to call the tune." Therefore we find that some unknown party is paying Mr. Ward a salary, and that this same man Ward is drawing $1 from the Government and admittedly serving some other interest, in preference to that of the Government, in putting forward this school-forum propaganda.

Mr. KING. And is it not a fact that he is a member of the single land-tax organization and is paid out of Cincinnati? Does the gentleman know that?

Mr. RAGSDALE. I do not know that, but I have heard some talk about it.

Mr. BENNET. Is there any provision in this bill for discontinuing these forums once they have been organized? In other words, if 20 people, citizens or otherwise, once attach a particular forum to a particular school, that is perpetual, is it not?

Mr. RAGSDALE. In so far as this legislation is concerned. Of course the House in the future would have the right to amend any legislation; but other than that it would be effectual.

Mr. BENNET. It would take an act of Congress to dissolve that forum?

Mr. RAGSDALE. That is my understanding of it.

Mr. GARDNER. Does the gentleman mean to say that if 20 of these single taxers got together in each one of these school districts in the city of Washington, you could not get them out without an act of Congress?

Mr. RAGSDALE. There is absolutely no power in this bill to do it otherwise. The board of trustees, in so far as they have authority over this particular institution, is absolutely divested of all rights and powers over it and it is put in the hands of this bunch in perpetuity. Now, I represent a people who are taxed along with the other people of this country. I have no sympathy with this idea of making a dog of the District of Columbia and trying any kind of vague, wild, harum-scarum kind of ideas on the dog. I do not approve this idea of putting bad legislation upon the people of the District of Columbia because they have no right to vote, because they have no voice in legislation, having no representative here.

This is a great city, the most beautiful city I have ever seen. My people love this city as the Capital of our country. My people want the District of Columbia, and the people in it, to have every single right that there is consistent with good government. They are willing to be taxed to a reasonable extent for the perpetuity of the best institutions here. They are not willing to undertake to allow people to come in here and with no responsibility absolutely control the institutions which they have been taxed to create and which they are now being taxed to maintain. The whole idea is absolutely antagonistic to everything in which I have been raised to believe. We believe in our schools, we love our schools, but we want nobody other than the properly constituted authorities in control of our schools. [Applause.]

Mr. KEATING. Will the gentleman yield?

Mr. RAGSDALE. I will.

Mr. KEATING. The gentleman has referred to irresponsibles who are taking control——

Mr. RAGSDALE. Who could take control.

Mr. KEATING. I want to ask the gentleman if he feels that the United States Commissioner of Education is in league with these irresponsible people?

Mr. RAGSDALE. I want to say the Commissioner of Education has commissioned a man in his office at a dollar a year for the purpose of carrying on this propaganda. I think much less of him since I learned he gave that commission for that purpose.

Mr. KEATING. The gentleman thinks he is in the conspiracy——

Mr. RAGSDALE. I would not say this is a conspiracy; that is the gentleman's language.

Mr. KEATING. The gentleman appreciates it was the gentleman's language, but I was trying to state the gentleman's views in understandable language.

Mr. RAGSDALE. My views in understandable language are these: That Mr. Ward was sent here——

Mr. KEATING. I am not talking about Mr. Ward.

Mr. RAGSDALE. Well, I am, and it is my time and therefore if the gentleman wants to understand, he must take it in my time.

Mr. KEATING. I will bear with the gentleman in his own peculiar way.

Mr. RAGSDALE. That is very kind; it is a consideration the gentleman extends to so few, that I am surprised.

Mr. GARDNER. Mr. Chairman, will the gentleman yield to me?

Mr. KEATING. Permit the gentleman to answer the question which I have propounded, please. The gentleman is so courteous, I want him to proceed.

Mr. GARDNER. After the Alphonse and Gaston proceedings——

Mr. RAGSDALE. I am sure it will not embarrass the gentleman.

Mr. KEATING. It will not embarrass me except when it comes from the gentleman.

Mr. RAGSDALE. I am sure anything coming from me to the gentleman would be embarrassing.

Mr. KEATING. Courtesy will be the most surprising thing.

Mr. RAGSDALE. Then I am surprised the gentleman is asking for consideration out of my time.

Mr. KEATING. I am not surprised at the treatment I am getting from the gentleman when I asked the question.

Mr. RAGSDALE. Nor am I surprised that the gentleman should ask anything to which he did not expect to get a reply. [Applause.]

Mr. KEATING. Will the gentleman, under the circumstances, answer the question?

Mr. RAGSDALE. Now, if the gentleman will kindly propound the question—which one?

Mr. KEATING. The question which I asked originally was, the gentleman suggested certain irresponsibles——

Mr. ADAMSON. Mr. Chairman, I protest against this sanguinary conflict and reckless use of the personal pronoun.

Mr. KEATING. We have not used the personal pronoun. What I want to know is this: According to this report the bill has received the indorsment of the United States Commissioner of Education.

Now, in all reason does the gentleman mean to say that this Commissioner of Education has indorsed a plan which would turn the schools of Washington over to a crowd of irresponsibles?

Mr. RAGSDALE. I want to say this, that I do not care who has indorsed it, however much respect I may have for him, from the President of the United States down. The bill speaks for itself, and says that any 20 residents of a community under certain conditions there can take charge of a building and use it on Sundays and other days for secular purposes, divesting the proper authorities from the control of that building. And if the Commissioner of Education lends himself to the plan, I am only sorry that he should take the position; but it does not alter my position as a Member of this Congress at all.

Mr. GARDNER. Will the gentleman yield?

Mr. RAGSDALE. Certainly.

Mr. GARDNER. I want to see if I understand the gentleman correctly. Suppose that the National Saloon Keepers' Association were to get possession of each one of these forums, and it would pack a meeting in regard to the referendum, where they put out a lot of money among the colored voters of the District, does the gentleman mean to say there is no power by which they could be dispossessed of the control of the schoolhouse?

Mr. RAGSDALE. Nothing except a further act of Congress.

Mr. GARDNER. That is an astounding statement.

Mr. RAGSDALE. It is not more astounding than the bill. [Laughter.]

Mr. KELLEY. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Michigan?

Mr. RAGSDALE. I yield.

Mr. KELLEY. I should like to inquire of the gentleman whether if this bill is enacted into law it will divest the school board entirely of authority to allow others to use the school buildings besides the organized forum?

Mr. RAGSDALE. No. They would have the right to grant the privileges they now have, except where the school forum wishes to utilize them, so that they can utilize the school build-

ings in opposition to the wishes of the board, while others not belonging to the school forum would have to come in and get consent of the board. In other words, a set of citizens living near a school building would have to belong to the school forum or they would have no rights in the building except by the consent of the board of trustees; but the minute you join the school forum you belong to a social, political institution which can go around at will, unless it interferes with the educational handling of the school building, and utilize it in any way they think wise.

Mr. BENNET. Will the gentleman yield?

Mr. RAGSDALE. Certainly.

Mr. BENNET. Inasmuch as this bill states for its primary object the use of the public buildings as community forums, would it not be perfectly possible for one of those community forums to stage a rather interesting fistic encounter, if they wanted to do so, on the days when they were not being used for public education or orderly free discussion?

Mr. RAGSDALE. Well, I think possibly the commissioners might be induced to get the police to stop that as a breach of the peace.

Mr. BENNET. Could they do so?

Mr. RAGSDALE. I think so; yes. They could prevent a breach of the peace, for the pounding of each other's hides is a breach of the peace. I doubt very much if you could call that an educational purpose.

Mr. BENNET. It is physical culture.

Mr. MANN. Will the gentleman yield just for another suggestion?

Mr. RAGSDALE. Yes.

Mr. MANN. I had hoped that we could finish this bill to-night. We have a long and arduous day before us to-morrow, and I think it is the intention to meet early in the morning, hoping that we will be able to finish all the roll calls on the legislative bill to-morrow. Will the gentleman be willing to yield the floor temporarily in order that a motion may be made for the committee to rise?

Mr. RAGSDALE. I shall be very glad to do so. Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14816) to provide for the use of public-school buildings in the District of Columbia as community forums, and for other purposes, and had come to no resolution thereon.

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, the beauty of American politics is that we accept the results and retain friendly personal relations. Mr. Wilson has been reelected President of the United States. I did not contribute in that direction. But to-day, I am informed and believe, is the anniversary of a very important day in his life, and I wish to felicitate him and Mrs. Wilson on the happy union which occurred one year ago [applause] and to wish for them a continuance of that happiness and a long and pleasant life. [Applause.]

STOCK-RAISING HOMESTEADS.

Mr. TAYLOR of Colorado, from the Committee on Public Lands, submitted for printing, under the rule, the conference report on the bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 1231).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 5, and 6.

That the House recede from its disagreement to the amendments of the Senate numbered 7, 8, and 10, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Page 3, line 12, after the word "areas," insert the following: "of the character herein described"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: Strike out all of section 9 of the bill; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Strike out all line 22, after the word "lands," add the following:

"*Provided further*, That such driveways shall not be of greater number or width than shall be clearly necessary for the purpose proposed and in no event shall be more than 1 mile in width for a driveway less than 20 miles in length, not more than 2 miles in width for driveways over 20 and not more than 35 miles in length, and not over 5 miles in width for driveways over 35 miles in length: *Provided further*, That all stock so transported over such driveways shall be moved an average of not less than 3 miles per day for sheep and goats and an average of not less than 6 miles per day for cattle and horses."

And the Senate agree to the same.

On page 2, line 22, after the word "appeal," add the following: "but no right to occupy such lands shall be acquired by reason of said application until said lands have been designated as stock-raising lands."

SCOTT FERRIS,
EDWARD T. TAYLOR,
IRVINE L. LENROOT,
Managers on the part of the House.

M. A. SMITH,
C. S. THOMAS,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee:

Amendment No. 1: Senate recedes. This amendment dispensed with the requirement of residence and improvements, which modified the general homestead law. This had never been done in any preceding legislation except in lands that could not be supplied with water even for domestic use.

Amendment No. 2: House recedes with an amendment. This amendment, No. 2, relates to additional entries and requires the original entryman to first enter contiguous lands if any there be, before he can enter noncontiguous land. The amendment added to amendment No. 2 provides that the character of land must be as herein described.

Amendment No. 3: Senate recedes. This amendment dispenses with residence.

Amendment No. 4: Senate recedes.

Amendment No. 5: Senate recedes. This amendment permits all former entrymen to have another entry irrespective of character of land formerly entered.

Amendment No. 6: Senate recedes for same reason set forth in amendment No. 5.

Amendment No. 7: House recedes. Amendment does not change purpose of act, and Senate amendment was deemed preferable.

Amendment No. 8: House recedes.

Amendment No. 9: Senate recedes with an amendment striking out section 9.

Amendment No. 10: House recedes.

Amendment No. 11: House recedes with an amendment. The House provision was too restrictive; the Senate amendment too broad. The substitute amendment will protect both the stock interests and the homesteader.

On page 2 the proviso deals with method of initiating right of entry. All through the proposed legislation the House and Senate have struggled to adjust their differences as to methods of entry, additional entries, and residence. The adoption of the amendment harmonizes the differences, prevents fraud, speculation, and aids in the administration of the law.

There was no difference of opinion between your conferees as to the advisability of extending the 640-acre unit to the dry, arid, nontimbered, nonirrigable, nonmineral lands of the West.

SCOTT FERRIS,
EDWARD T. TAYLOR,
IRVINE L. LENROOT,
Managers on the part of the House.

BRIDGE ACROSS DELAWARE RIVER.

Mr. ADAMSON. Mr. Speaker, there is a little Senate bridge bill on the Speaker's desk, with a similar House bill on the calendar. I would like to have the Senate bill laid before the House.

The SPEAKER. The Chair lays before the House the bill S. 7095, which the Clerk will report.

The Clerk read the bill as follows:

An act (S. 7095) extending the time for completion of the bridge across the Delaware River, authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.

Be it enacted, etc., That the time for the completion of the bridge now in course of construction across the Delaware River, which the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, were authorized to construct, maintain, and operate by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912, be, and the same is hereby, extended for a period of three years from the 24th day of August, 1916: *Provided*, That in all other respects said bridge shall be completed and shall be maintained and operated in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER. Without objection, a similar House bill (H. R. 18085) will be laid on the table.

There was no objection.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the Senate bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. GRIFFIN, by unanimous consent, was granted leave of absence indefinitely, on account of illness.

HOUR OF MEETING TO-MORROW 11 O'CLOCK A. M.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

Mr. MANN. Would it be too early to meet at half past 10?

Mr. FITZGERALD. The Committee on Appropriations has a meeting at 10.30 to-morrow to report a deficiency bill.

Mr. KITCHIN. I suggest that it be 11 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina that the House meet at 11 o'clock to-morrow morning?

There was no objection.

PAINTING OF THE BATTLE OF GETTYSBURG.

Mr. STEDMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8223) to purchase a painting of the Battle of Gettysburg.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present, and the gentleman from North Carolina moves that the House do now adjourn. The Chair will request the gentleman from Illinois to withdraw his point of no quorum and the gentleman from North Carolina to withhold his motion to adjourn until the Chair can lay before the House a message from the President.

Mr. MANN. I will withdraw it.

Mr. KITCHIN. I withhold my motion, Mr. Speaker.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by Mr. Sharkey, one of his secretaries.

REPORT OF GOVERNOR OF PORTO RICO (H. DOC. NO. 1773).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, was ordered printed and referred to the Committee on Insular Affairs:

To the Senate and House of Representatives:

I transmit for the information of the Congress the report of the Governor of Porto Rico for the fiscal year ended June 30, 1916, together with the reports of the heads of the several executive departments of the Porto Rican government for the same period.

WOODROW WILSON.

THE WHITE HOUSE, *December 18, 1916.*

REPORT OF PHILIPPINE COMMISSION (H. DOC. NO. 1774).

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, was ordered printed and referred to the Committee on Insular Affairs:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress the report of the Philippine Commission for the fiscal year ended December 31, 1915, together with the reports of the Governor General and the secretaries of the four executive departments of the Philippine government, and the second annual report of the governor of the Department of Mindanao and Sulu for the same period.

WOODROW WILSON.

THE WHITE HOUSE, *December 18, 1916.*

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 1788. An act for the relief of Thomas M. Jones.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Tuesday, December 19, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, transmitting an urgent deficiency estimate of appropriation required by the War Department for the support of dependent families of enlisted men of the Army and National Guard during the fiscal year 1917 (H. Doc. No. 1759); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting reports of the bureaus and offices of the War Department showing exchanges of typewriting machines and other labor-saving devices made during the fiscal year 1916 (H. Doc. No. 1760); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of War, transmitting letter from the Chief of Engineers with a statement prepared from data received from officers in charge of the different engineering districts, showing name, time employed, and compensation of civilian engineers employed between July 1, 1915, and June 30, 1916 (H. Doc. No. 1761); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of Commerce, transmitting a statement of the expenditures in the Coast and Geodetic Survey for the fiscal year ended June 30, 1916 (H. Doc. No. 1762); to the Committee on Expenditures in the Department of Commerce and ordered to be printed.

5. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers of the United States Army with copies of reports on a preliminary examination and survey, respectively, of Mobile Harbor and Bay, Ala. (H. Doc. No. 1763); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

6. A letter from the Secretary of the Smithsonian Institution, transmitting information regarding purchase of typewriting machines and exchanges made in part payment therefor by the Government branches under the direction of this Institution during the fiscal year 1916 (H. Doc. No. 1764); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of War, transmitting a deficiency estimate of appropriation for the support of dependent families of enlisted men of the Regular Army and of the National Guard in the service of the United States (H. Doc. No. 1765); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting information relative to deficiency estimate of appropriation for the United States mint at Philadelphia (H. Doc. No. 1766); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Secretary of the Interior, transmitting report of engineer of the Indian Service and of the Reclamation Service on the Wind River, Wyo., project (H. Doc. No. 1767); to the Committee on Indian Affairs and ordered to be printed, with illustrations.

10. A letter from the Secretary of War, transmitting a tentative draft of a bill to reimburse officers, soldiers, and civilian employees of the Army and their families and dependents, and military organizations, for losses sustained as a result of the hurricane which occurred in Texas on August 16, 17, and 18, 1915 (H. Doc. No. 1768); to the Committee on Appropriations and ordered to be printed.

11. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of War, dated the 12th instant, submitting statements of all money arising from proceeds of public property received by the War Department during the fiscal year ended June 30, 1916 (H. Doc. No. 1769); to the Committee on Expenditures in the War Department and ordered to be printed.

12. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce, submitting the following claims for damages, which have been considered, adjusted, and determined to be due the claimants by the Commissioner of Lighthouses (H. Doc. No. 1770); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting an urgent deficiency estimate of appropriation in the sum of $140,000 for printing and binding for the War Department for the fiscal year 1917 (H. Doc. No. 1771); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting urgent deficiency estimates of appropriation required by the War Department for the service of the fiscal year 1917 (H. Doc. No. 1772); to the Committee on Appropriations and ordered to be printed.

15. A letter from the President of the United States, transmitting report of the governor of Porto Rico for the fiscal year ended June 30, 1916 (H. Doc. No. 1773); to the Committee on Insular Affairs and ordered to be printed.

16. A letter from the President of the United States, transmitting report of the Philippine Commission for the fiscal year ended December 31, 1915 (H. Doc. No. 1774); to the Committee on Insular Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 191) to amend an act entitled "An act to change the name of the Public Health and Marine-Hospital Service to the Public Health Service, to increase the pay of officers of said service, and for other purposes," approved August 14, 1912, reported the same with amendment, accompanied by a report (No. 1229), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MILLER of Delaware, from the Committee on Claims, to which was referred the bill (S. 3681) for the relief of the owners of the steamship *Esparta*, reported the same without amendment, accompanied by a report (No. 1230), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PAGE of North Carolina. A bill (H. R. 19119) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. TEMPLE: A bill (H. R. 19120) to authorize the Secretary of the Treasury to accept a title to a site for the post office at Donora, Pa., which excepts and reserves natural gas and oil underlying the land; to the Committee on Public Buildings and Grounds.

By Mr. MUDD: A bill (H. R. 19121) to provide for the reimbursement to the emigrant Cherokees by blood for lands allotted to the negro freedmen (Cherokees) from the lands granted to the emigrant Cherokees by blood under treaty of 1835; to the Committee on Indian affairs.

By Mr. ROGERS: A bill (H. R. 19122) to amend the act of Congress of February 17, 1911, entitled "An act providing for the purchase or erection, within certain limits of cost, of embassy, legation, and consular buildings abroad"; to the Committee on Foreign Affairs.

By Mr. KALANIANAOLE: A bill (H. R. 19123) to provide for the election of the governor and secretary of the Territory of Hawaii; to the Committee on the Territories.

Also, a bill (H. R. 19124) to relieve the railroads in Porto Rico and Hawaii from the provisions of the safety-appliance acts, requiring the use of power brakes on cars used exclusively for the transportation of sugar cane; to the Committee on the Territories.

By Mr. AUSTIN: A bill (H. R. 19125) to reclassify the grades and fix the salaries of railway postal clerks; to the Committee on the Post Offices and Post Roads.

By Mr. DENT: A bill (H. R. 19126) authorizing the President of the United States to exchange land set aside for military purposes in the Territory of Hawaii for private land; to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 19127) directing the Secretary of War to ascertain the amount of money expended by the State of Texas between January 1, 1866, and December 31, 1876, inclusive, and report the same to Congress for its consideration; to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 19128) providing for the construction of bridges and culverts under reclamation projects out of the reclamation fund; to the Committee on Irrigation of Arid Lands.

By Mr. HOWARD: A bill (H. R. 19129) to make immediately available for the use of the State of Georgia in paying expenses incurred by said State in connection with the joint encampment held at Augusta, Ga., July 22 to 31, 1914, certain sums appropriated for arming and equipping the militia of said State; to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: Resolution (H. Res. 411) asking the Secretary of War for certain information relating to the removal of the old Pennsylvania Sixth Street Depot; to the Committee on the District of Columbia.

Also, resolution (H. Res. 412) asking the Secretary of the Interior for certain information regarding damage done the United States by the wrongful use of the Mall and the streets of the city of Washington by the Baltimore & Potomac Railroad Co.; to the Committee on the District of Columbia.

By Mr. MANN: Resolution (H. Res. 413) authorizing the payment of additional compensation to the Chaplain of the House; to the Committee on Accounts.

By Mr. STEPHENS of Texas: Joint resolution (H. J. Res. 325) authorizing the Secretary of the Interior to appraise lands of the Osage Tribe of Indians, Oklahoma, and for other purposes; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 19130) granting an increase of pension to Mary Suhr; to the Committee on Pensions.

By Mr. ANTHONY: A bill (H. R. 19131) granting an increase of pension to William R. Vanhoozer; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 19132) for the relief of the legal representatives of Samuel D. Lapsley; to the Committee on War Claims.

Also, a bill (H. R. 19133) granting an increase of pension to Robert J. Clement; to the Commitee on Pensions.

By Mr. DILL: A bill (H. R. 19134) for the relief of John G. Clark; to the Committee on Claims.

By Mr. DRUKKER: A bill (H. R. 19135) granting an increase of pension to Alice J. Stoddard; to the Committee on Invalid Pnesions.

By Mr. ESCH: A bill (H. R. 19136) granting an increase of pension to Elijah A. Hearn; to the Committee on Invalid Pensions.

By Mr. GRAY of Indiana: A bill (H. R. 19137) granting a pension to Jonathan McKay; to the Committee on Invalid Pensions.

By Mr. HART: A bill (H. R. 19138) granting an increase of pension to Enos Chamberlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19139) granting a pension to Herbert Bernholz; to the Committee on Pensions.

By Mr. HELVERING: A bill (H. R. 19140) granting an increase of pension to Enoch C. Ward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19141) granting an increase of pension to Joseph E. Burkhart; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 19142) granting a pension to Josephine Hoffman; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 19143) granting an increase of pension to Willis G. Craddock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19144) granting an increase of pension to Ideral Vanfleet; to the Committee on Invalid Pensions.

By Mr. LIEB: (H. R. 19145) granting an increase of pension to Thomas J. Lamar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19146) granting an increase of pension to Thomas J. Westfall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19147) granting an increase of pension to Hampton Langley, known as Hampton Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19148) granting an increase of pension to Sarah Battle; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 19149) granting an increase of pension to Julia Keeney, widow of Woodford W. Keeney, deceased; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19150) granting a pension to William R. Botkin; to the Committee on Pensions.

By Mr. LOUD: A bill (H. R. 19151) granting an increase of pension to Watson F. Bisbee; to the Committee on Invalid Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 19152) to award a medal of honor to Henry H. Maxim, private, Company G, Twelfth Maine Infantry; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 19153) granting an increase of pension to Melissa A. Danley; to the Committee on Invalid Pensions.

By Mr. MOON: A bill (H. R. 19154) granting a pension to Lou Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19155) granting a pension to James Besheres; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19156) granting a pension to Martha M. Buchanan; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 19157) granting a pension to Ida M. Zimmerman; to the Committee on Pensions.

By Mr. MURRAY: A bill (H. R. 19158) granting a pension to George Robinson; to the Committee on Invalid Pensions.

By Mr. OLNEY: A bill (H. R. 19159) granting a pension to Deborah H. Gilbert; to the Committee on Invalid Pensions.

By Mr. PAIGE of Massachusetts: A bill (H. R. 19160) granting a pension to Nora D. Groves; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19161) granting a pension to Albert J. Phillips; to the Committee on Pensions.

By Mr. POWERS: A bill (H. R. 19162) granting an increase of pension to Elizabeth J. Herrin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19163) granting an increase of pension to Turner Bartley; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 19164) granting a pension to Rollin L. Stone; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19165) granting a pension to Esther M. Beebe; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 19166) granting an increase of pension to Martha Couchman; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 19167) granting an increase of pension to William J. McCormick; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 19168) granting an increase of pension to William R. McAllister; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 19169) granting an increase of pension to Sarah Ellen Everich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19170) granting a pension to Minerva C. McMillan; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 19171) granting a pension to George Wolf; to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 19172) granting an increase of pension to Eugene B. Eastman; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 19173) granting an increase of pension to Lemuel Kingsbury; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19174) granting a pension to Mary J. Berlin; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 19175) granting a pension to Charles F. Mow; to the Committee on Pensions.

By Mr. POWERS: A bill (H. R. 19176) granting an increase of pension to James L. Strange; to the Committee on Pensions.

By Mr. TINKHAM: A bill (H. R. 19177) to remove the charge of desertion from the military record of Clarence C. Taft; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany House bill 16152, for the relief of George Butterbaugh; to the Committee on Invalid Pensions.

By Mr. BROWNING: Memorial of various terminal railway post-office clerks for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. CARY: Petition of Edward Montlock, of Milwaukee, Wis., in favor of the Tague bill, House bill 17805; to the Committee on the Post Office and Post Roads.

Also, petition of John Pritzloff Hardware Co., against exchange on country checks; to the Committee on Banking and Currency.

Also, petition of Carpenters' Union No. 1748, Milwaukee, Wis., against high cost of living; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Milwaukee Reliance Boiler Works and Lindeman & Hoverson, of Milwaukee, Wis., favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Memorial of Board of Directors of the Troy Chamber of Commerce, relative to widening and deepening of the Narrows of Lake Champlain; to the Committee on Rivers and Harbors.

Also, memorial of employees of the various terminal railway post offices, relative to increase in salary; to the Committee on the Post Office and Post Roads.

Also, petitions of the Illustrated Companion, Paragon Plaster Co., and Dahlstrom Metallic Door Co., of the State of New York, relative to 1-cent postage; to the Committee on the Post Office and Post Roads.

Also, memorial of National Society of Daughters of the American Revolution, relative to purchase of Monticello; to the Committee on Appropriations.

Also, petition of Joshua Connell, of Brooklyn, N. Y., favoring Nolan minimum-wage bill; to the Committee on Labor.

Also, petition of National Association of Bureau of Animal Industry Employees, favoring passage of House bill 16060, the Lobeck bill; to the Committee on Agriculture.

By Mr. ELSTON: Memorial of Citizens Committee of Berkeley, Cal., relative to Federal storage and distribution of foodstuffs; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Mrs. W. T. Cleveden, of Berkeley, Cal., relative to high cost of living; to the Committee on Interstate and Foreign Commerce.

Also, petition of employees of the Oakland (Cal.) post office for an increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. FITZGERALD: Memorial of various terminal railway post-office employees for an increase in pay; to the Committee on the Post Office and Post Roads.

Also, memorial of board of directors of the Troy (N. Y.) Chamber of Commerce favoring appropriation for the widening and deepening of the narrows of Lake Champlain; to the Committee on Rivers and Harbors.

Also, memorial of Brotherhood of Calvary Baptist Church, Washington, D. C., favoring prohibition in the District of Columbia; to the Committee on the Judiciary.

By Mr. FULLER: Petition of Dorman & Co., of Freeport, Ill., for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of post-office employees of Mendota, Ill., for increase of pay; to the Committee on the Post Office and Post Roads.

Also, petition of United Mine Workers of America, Local Union No. 1722, Oglesby, Ill., for an embargo on foodstuffs; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLIVAN: Memorial of Boston Branch of Railway Mail Association favoring salary increase; to the Committee on the Post Office and Post Roads.

By Mr. GLYNN: Petition of 20 members Woman's Foreign Missionary Society of Shelton Congregational Church, of Shelton; 35 people of Torrington; Woman's Foreign and Home Missionary Society of Waterbury; Woman's Christian Temperance Union, of 33 members, of Torrington; and Young People's Society of Christian Endeavor of 33 people, of Torrington, all in the State of Connecticut, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAMLIN: Papers to accompany House bill 18474, to pension Lewis J. Moore; to the Committee on Pensions.

By Mr. HAYES: Petitions of post-office clerks of Ventura County, San Jose, Oxnard, Pacific Grove, and Salinas, Cal., for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. HOLLINGSWORTH: Evidence in support of House bill 18617, granting pension to Albert McAllister; to the Committee on Pensions.

Also, petition of Henry R. Fitten and 18 other post-office employees of Bellaire, Ohio, for increase in salaries; to the Committee on the Post Office and Post Roads.

By Mr. JAMES: Petition of sundry postal employees, asking for increase in salary; to the Committee on the Post Office and Post Roads.

By Mr. LIEB: Petition of the railway mail clerks, post-office clerks, letter carriers, and rural-delivery carriers, of Evansville, Ind., to Congress to grant them an increase in pay; to the Committee on the Post Office and Post Roads.

Also, papers to accompany House bill for relief of Sarah Battle; to the Committee on Invalid Pensions.

Also, papers to accompany a bill for the relief of Thomas J. Lamar; to the Committee on Invalid Pensions.

Also, papers to accompany a bill for relief of Thomas J. Westfall; to the Committee on Invalid Pensions.

By Mr. LOUD: Papers to accompany House bill for relief of Watson F. Bisbee; to the Committee on Invalid Pensions.

By Mr. McCLINTIC: Petition of employees of post offices of Altus and Mangum, Okla., asking increase in salary; to the Committee on the Post Office and Post Roads.

By Mr. MEEKER: Petitions of Eddy & Eddy Manufacturing Co., California Tanning Co., Charles S. Lewis & Co., Alvey Manufacturing Co., and Koerber-Brenner Co., all of St. Louis, Mo.; also Farm Supply Co., of Lebanon, Mo., and E. G. Trimble, of Kansas City, Mo., in favor of 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petitions of Louis W. Hilker and Bottlers' Union, Local No. 187, both of St. Louis, Mo., in favor of an embargo on foodstuffs; to the Committee on Interstate and Foreign Commerce.

By Mr. MOON: Papers to accompany a bill for the relief of James Beshens; to the Committee on Invalid Pensions.

Also, papers to accompany a bill for the relief of Lou Stewart; to the Committee on Invalid Pensions.

Also, papers to accompany a bill for the relief of Martha M. Buchanan; to the Committee on Invalid Pensions.

By Mr. NORTH: Petition of postal employees of Indiana, Pa., asking for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. RAINEY: Memorial of Woman's Christian Temperance Union and 33 people of Methodist Episcopal Church, of Rockport, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Memorial of National Housewives League of New York, indorsing the Stephens-Ashurst bill; to the Committee on Interstate and Foreign Commerce.

By Mr. REILLY: Petitions of employees of the post offices of Neenah, Oshkosh, and Ripon, Wis., asking for increase of salary; to the Committee on the Post Office and Post Roads.

By Mr. ROWE: Petition of Valentine & Co., of New York, in re pneumatic-tube service in post office service; to the Committee on the Post Office and Post Roads.

Also, memorial of Brotherhood of Calvary Baptist Church, of Washington, in re prohibition legislation for the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of Board of Directors of the Troy (N. Y.) Chamber of Commerce, in re harbor improvements in New York State, as recommended in House Document No. 1387 of Sixty-second Congress, third session; to the Committee on Rivers and Harbors.

By Mr. ROWLAND: Memorial of the Board of Temperance, Prohibition, and Public Morals of the Methodist Episcopal Church, relative to sale, etc., of liquors; to the Committee on the Judiciary.

By Mr. SMITH of Texas: Two petitions of sundry postal employees, asking for increase in salaries; to the Committee on the Post Office and Post Roads.

By Mr. STEPHENS of Texas: Petition of Board of Temperance of the Methodist Episcopal Church, asking passage of certain prohibition laws; to the Committee on the Judiciary.

Also, petition of Live Stock Association of America, asking for the repeal of the oleomargarine tax; to the Committee on Ways and Means.

By Mr. TOWNER: Petition of W. L. Ferris and 200 other citizens of Shenandoah, Iowa, favoring national constitutional prohibition; to the Committee on the Judiciary.

By Mr. WATSON of Pennsylvania: Memorial of Conshohocken Branch, No. 1275, United Association of Post Office Clerks, asking for the passage of House bill 17806; to the Committee on the Post Office and Post Roads.

SENATE.

TUESDAY, *December 19, 1916.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, give us such a sense of the Divine greatness and power and glory that we may always approach Thee with reverence and godly fear. We bless Thee that in the revelation of the great plan of life that Thou has given to men there is no conflict between the facts of Thy kingdom and the facts of human life, that there is no conflict between the forces that make for the establishment of the everlasting kingdom and the forces that are for the welfare and the uplift and the refinement and the highest achievement of life in this world. We know that only through the refinement of spirit can we have the far-reaching vision of the things of God, and that the pure in heart see Thee, the great God of us all. So we pray that Thou wilt give to us that vision of spiritual things that will illumine our minds and hearts and lead us in the discharge of the duties of this day. For Christ's sake. Amen.

The Vice President being absent, the President pro tempore [WILLARD SAULSBURY, a Senator from the State of Delaware] took the chair.

The Journal of yesterday's proceedings was read and approved.

DEPENDENT FAMILIES OF ENLISTED MEN (H. DOC. NO. 1759).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a deficiency estimate in the amount of $8,500,000 for the support of dependent families of enlisted men in the Army, which was referred to the Committee on Appropriations and ordered to be printed.

NATIONAL FOREST RESERVATION COMMISSION (S. DOC. NO. 643).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, the annual report of the National Forest Reservation Commission for the fiscal year ended June 30, 1916, which, with the accompanying papers, was referred to the Committee on Forest Reservation and the Protection of Game and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS (S. DOC. NO. 642).

The PRESIDENT pro tempore laid before the Senate a communication from the Cheif Clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion filed by the court in the cause of Faxon, Horton & Gallagher; Long Bros. Grocery Co.; A. Rieger; Rothenberg & Schloss; Ryley, Wilson & Co.; and Van Noy News Co. *v.* United States, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

SENATOR FROM NEW MEXICO.

Mr. CATRON. I present the credentials of A. A. JONES, duly chosen by the qualified electors of the State of New Mexico a Senator from that State to represent that State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1917, which I ask may be received.

The PRESIDENT pro tempore. The credentials will be printed in the RECORD and placed on the files of the Senate.